No. 36. [ISSUED THURSDAY, 9TH SEPTEMBER, 1920.

COMMONWEALTH OF AUSTRALIA.

PARLIAMENTARY DEBATES.

FIRST SESSION, 1920.

CONTENTS.—

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EIGHTH PARLIAMENT.

FIRST SESSION.

Governor-General.

His Excellency the Right Honorable Sir RONALD CRAUFURD MUNRO FERGUSON, a Member of His Majesty's Most Honorable Privy Council, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, and Commander-in-Chief in and over the Commonwealth of Australia.

Australian National Government.

(*From 10th January*, 1918.)

Prime Minister and Attorney-General	The Right Honorable William Morris Hughes, P.C., K.C.
Minister for the Navy	The Right Honorable Sir Joseph Cook, P.C., G.C.M.G.
	Succeeded by
	The Honorable W. H. Laird Smith (28th July, 1920).
Treasurer	The Right Honorable Lord Forrest, P.C., G.C.M.G.
	Succeeded by
	The Right Honorable William Alexander Watt, P.C. (27th March, 1918.)††††
	Succeeded by
	The Right Honorable Sir Joseph Cook, P.C., G.C.M.G. (28th July, 1920).
Minister for Defence	The Honorable George Foster Pearce.
Minister for Repatriation	The Honorable Edward Davis Millen.
Minister for Works and Railways	The Right Honorable William Alexander Watt, P.C.
	Succeeded by
	The Honorable Littleton Ernest Groom (27th March, 1918).
Minister for Home and Territories	The Honorable Patrick McMahon Glynn K.C. †††
	Succeeded by
	The Honorable Alexander Poynton (4th February, 1920).
Minister for Trade and Customs	The Honorable Jens August Jensen.†
	Succeeded by
	The Right Honorable William Alexander Watt, P.C. (13th December, 1918).
	Succeeded by
	The Honorable Walter Massy Greene (17th January, 1919).
Postmaster-General	The Honorable William Webster. †††
	Succeeded by
	The Honorable George Henry Wise (4th February, 1920).
Vice-President of the Executive Council	The Honorable Littleton Ernest Groom.
	Succeeded by
	The Honorable Edward John Russell (27th March, 1918).
Honorary Minister	The Honorable Edward John Russell.
	Appointed Vice-President of the Executive Council, 27th March, 1918.
Honorary Minister	The Honorable Alexander Poynton.
	Appointed Minister for Home and Territories, 4th February, 1920.
Honorary Minister	The Honorable George Henry Wise.
	Appointed Postmaster-General, 4th February, 1920.
Honorary Minister	The Honorable Walter Massy Greene.
	Appointed Minister for Trade and Customs, 17th January, 1919.*
Honorary Minister	The Honorable Richard Beaumont Orchard**
Honorary Minister	The Honorable Sir Granville de Laune Ryrie, K.C.M.G., C.B., V.D. ††
Honorary Minister	The Honorable William Henry Laird Smith.††
	Appointed Minister for the Navy, 28th July, 1920.
Honorary Minister	The Honorable Arthur Stanislaus Rodgers.***

* Appointed 26th March, 1918.——† Removed from office, 13th December, 1918.——** Resigned office, 31st January, 1919.——†† Appointed 4th February, 1920.——††† Resigned 3rd February, 1920.——†††† Resignation from office gazetted, 15th June, 1920.——*** Appointed 28th July, 1920.

Senators.

(*From 1st July*, 1920.)

President—Senator the Honorable Thomas Givens.

Chairman of Committees—Senator Thomas Jerome Kingston Bakhap.

*Adamson, John, C.B.E. (Q.)
Bakhap, Thomas Jerome Kingston (T.)
*Benny, Benjamin (S.A.)
Bolton, William Kinsey, C.B.E., V.D. (V.)
[3]Buzacott, Richard (W.A.)
*Cox, Charles Frederick, C.B., C.M.G. (N.S.W.)
Crawford, Thomas William (Q.)
De Largie, Hon. Hugh (W.A.)
*Drake-Brockman, Edmund Alfred, C.B., C.M.G., D.S.O. (W.A.)
*Duncan, Walter Leslie (N.S.W.)
Earle, Hon. John (T.)
*Elliott, Harold Edward, C.B., C.M.G., D.S.O., D.C.M. (V.)
Fairbairn, George (V.)
Foll, Hattil Spencer (Q.)
[2]Foster, George Matthew (T.)
*Gardiner, Albert (N.S.W.)
*Givens, Hon. Thomas (Q.)
*Glasgow, Sir Thomas William, K.C.B., C.M.G., D.S.O. (Q.)
*Guthrie, James Francis (V.)
Guthrie, Robert Storrie (S.A.)
Henderson, George (W.A.)
Keating, Hon. John Henry (T.)
*Lynch, Patrick Joseph (W.A.)
Millen, Hon. Edward Davis (N.S.W.)
*Millen, John Dunlop (T.)
*[1]Newland, John (S.A.)
*Payne, Hon. Herbert James Mockford (T.)
[2]Pearce, Hon. George Foster (W.A.)
[1]Plain, William (V.)
Pratten, Herbert Edward (N.S.W.)
Reid, Matthew (Q.)
[1]Rowell, James, C.B. (S.A.)
*Russell, Hon. Edward John (V.)
Senior, William (S.A.)
Thomas, Hon. Josiah (N.S.W.)
*Wilson, Reginald Victor (S.A.)

1. Appointed Temporary Chairman of Committees, 21st July, 1920. 2. Elected 13th December, 1919 Sworn 21st July, 1920. 3. Appointed Temporary Chairman of Committees, 26th February, 1920.
* Elected 13th December, 1919. Sworn, 1st July, 1920.

of capitalistic interests it is prepared to use the War Precautions Act and regulations for such a purpose. That—although it does not matter to the Government—really involves the perpetration of a fraud upon the Parliament.

The War Precautions Act has been permitted to remain in force much longer than Parliament intended; and, by its continued operation, industrial unrest has been fomented. We have had an example of that in the matter of resolutions recently passed in Sydney concerning the manner in which the Government was exercising its powers of deportation without furnishing an opportunity for fair trial. I know that there are several people in Australia now awaiting deportation, although I am not aware of the reason for the continued delay in sending them away. I want to see power given to the Court, if it deems it necessary, to override the operation of the Act and its regulations. For—I do not care who the party concerned may be—I do not intend that any one shall be sent out of the country, if I can help it, without fair trial.

Mr. GROOM (Darling Downs—Minister for Works and Railways) [10.57].—I cannot accept the proposed new clause, which is about the most extraordinary proposition I have ever heard.

Mr. RYAN.—The Minister has been in a rut for the past twenty years, and has not placed himself in a position to hear modern democratic proposals.

Mr. GROOM.—It has been a very sound and safe rut. But does not the honorable member think it is about time he confined himself to the argument of political principles rather than to the bandying of personalities? The Executive has been given power under a specific Statute to issue regulations in the public interest. The honorable member proposes, however, that the Executive shall be set aside, and that, if a Judge is of opinion that something which the Executive has done is in the nature of an interference with what the Judge proposes to do, he shall have the power, in effect, to repeal the Act or regulation, and so override the Government and the Parliament. As for the matter of the continued administration of the War Precautions Act, I can only say that if ever a Statute was justified that Act has been. However, it is now about to expire, so that it is all the more absurd for the honorable member to seek to place in a permanent Statute some provision dealing with an Act which will have ceased to operate.

Mr. McWILLIAMS (Franklin) [10.59].—I do not like the proposed new clause, because it seeks to place in the hands of a Judge a power which should rest with the Parliament. However, I take the opportunity to ask the Government if it does not think the time has arrived when the War Precautions Act should cease, and when we should get back to orderly methods of government. While the war was on, honorable members did not question that the powers contained under the Act and its regulations were necessary. But, simply because peace has not been declared with Turkey, or with some other of the belligerents—which factor does not really affect the life of the country at all—it is absolutely wrong for the Government to persist in prolonging the life of the Act. The House should deliberately determine at an early opportunity that the whole of the War Precautions Act should be swept away. I cannot support the amendment; but I should like the Government to consider whether the time has not arrived for Australia to return to the pure constitutional government which we were elected to carry out.

Question—That the proposed new clause be added—put. The Committee divided.

Ayes	.. ..	10
Noes	.. ..	27
Majority	.. ..	17

AYES.

Charlton, M.	Riley, E.
Cunningham, L. L.	Ryan, T. J.
Gabb, J. M.	
Lavelle, T. J.	*Tellers:*
Lazzarini, H. P.	Brennan, F.
McGrath, D. C.	Moloney, Parker

NOES.

Bayley, J. G.	Lister, J. H.
Bell, G. J.	Mackay, G. H.
Bruce, S. M.	Marr, C. W. C.
Cameron, D. C.	Maxwell, G. A.
Cook, Sir Joseph	McWilliams, W. J.
Cook, Robert	Poynton, A.
Corser, E. B. C.	Rodgers, A. S.
Foster, Richard	Ryrie, Sir Granville
Gibson, W. G.	Smith, Laird
Greene, W. M.	Wienholt, A.
Gregory, H.	Wise, G. H.
Groom, L. E.	*Tellers:*
Hill, W. C.	Burchell, R. J.
Jackson, D. S.	Story, W. H.

PAIRS.

Anstey, F.	Watt, W. A.
Blakeley, A.	Bowden, E. K.
Makin, N. J. O.	Blundell, R. P.
Mahony, W. G.	Livingston, J.
Watkins, D.	Jowett, E.
Nicholls, S. R.	Lamond, Hector
Page, James	Higgs, W. G.
Considine, M. P.	Hay, A.
Mahon, H.	Prowse, J. H.
Fenton, J. E.	Fleming, W. M.
Catts, J. H.	Bamford, F. W.
West, J. E.	Marks, W. M.
Mathews, J.	Fowler, J. M.
McDonald, C.	Atkinson, L.
Mahony, W. G.	Best, Sir Robert
Tudor, F. G.	Chapman, Austin

Question so resolved in the negative.

Proposed new clause negatived.

Mr. LAVELLE (Calare) [11.8].—I move—

That the following new clause be added:—

"The following section is inserted in the principal Act:—

"(*a*) The accredited representative of any organization registered under this Act shall have the power at any time to visit any place where work is being carried on under an award of the Court in order to ascertain whether the award is being observed, and to transact any work deemed necessary on behalf of the organization or its members.

"(*b*) The accredited representatives of any organization registered under this Act shall have the power at any time to visit any place where work is being carried on, and where it is proposed to obtain an award in order to attend to the work necessary to prepare the case for the Court and collect evidence to support the claim, and to transact any work deemed necessary on behalf of the organization or its members."

Recognising, as we all do, that Arbitration Courts could not possibly exist without registered organizations, I feel sure that the wisdom of this clause will appeal to every member of the Committee, and that they will support me in having it embodied in the Bill. An award is obtained only by the collective efforts of the workers in the form of registered trade unions, and it is only fair and reasonable that, when the working-class organizations have obtained an award, their accredited representatives should have the right to see whether it is being observed. I have no desire, and I think that no registered organization has any desire, to interfere with the work of the employees while it is in progress; but we do ask, and rightly so, that we should be given the power to see that an award, once obtained, is being observed. To-day we have no power whatever under the Federal awards to visit any place where work is being carried on under an award in order to see whether it is being observed or not. As regards the second portion of the clause, when we are preparing a case for the Court it is necessary to visit places of employment; but owing to the fact that we have not the constitutional power to make a common rule apply, if we desire to have every employer bound by the award of the Court when made, we must visit every place of employment where work is being carried on. We must get at least one member of the organization working there, and must serve the claim upon an employer. Unless we are given facilities for visiting places of employment, it is practically impossible for us to prepare a case for the Court.

Mr. RICHARD FOSTER.—This is an old chestnut.

Mr. LAVELLE.—It may be, so far as the honorable member is concerned, but it is of the utmost importance to the men whom he has deliberately misrepresented. Practically every honorable member who has taken part in this debate has expressed a desire that the Conciliation and Arbitration Court shall be a success. Only one honorable member has said that he is opposed to compulsory arbitration. That being so, the Committee should practically be unanimously in favour of the addition of this new clause.

Mr. RODGERS.—But you go where you like to-day without authority.

Mr. LAVELLE.—If my honorable friend had had the experience which I, as a representative of an organization, have, unfortunately, had in endeavouring to prepare a case for the Court, he would not so glibly interject that we go where we like without authority. Only two years ago, when preparing a case for the Court, I was ordered to leave every place that I visited during three consecutive days. On one occasion when preparing a case for the Commonwealth

Conciliation and Arbitration Court in connexion with station hands, I arrived at Lake Cowal Station, at 7 p.m., after doing a four hours' drive, with the temperature at 17 degrees. I had no sooner stated my business than the manager ordered me off, although there was no accommodation house within 12 miles. Had I told him a tale, I should probably have been allowed to remain and transact my business; but as soon as I had informed him, quite honestly, that I was an organizer for the Australian Workers Union, he ordered me off the station. I went, but returned and obtained all the information I required. Why should that sort of thing be allowed? If arbitration is to be a success, we must have the loyal assistance and co-operation of both employers and employees. We ask for nothing more, and nothing less. If honorable members desire that arbitration shall be a success, they will vote for this clause.

Mr. GROOM (Darling Downs—Minister for Works and Railways) [11.15].—It is only necessary for me to point out that under section 41 ample power of inspection is provided for. In my opinion no wider power is required.

Question—That the proposed new clause be added—put. The Committee divided.

Ayes	8
Noes	25
Majority	17

AYES.

Charlton, M.	Ryan, T. J.
Cunningham, L. L.	
Gabb, J. M.	*Tellers:*
Lavelle, T. J.	Brennan, F.
Lazzarini, H. P.	McGrath, D. C.

NOES.

Bayley, J. G.	Lister, J. H.
Bell, G. J.	Mackay, G. H.
Bruce, S. M.	Marr, C. W. C.
Cameron, D. C.	McWilliams, W. J.
Cook, Sir Joseph	Poynton, A.
Cook, Robert	Rodgers, A. S.
Corser, E. B. C.	Ryrie, Sir Granville
Foster, Richard	Smith, Laird
Gibson, W. G.	Wienholt, A.
Greene, W. M.	Wise, G. H.
Groom, L. E.	*Tellers:*
Hill, W. C.	Burchell, R. J.
Jackson, D. S.	Story, W. H.

PAIRS.

Anstey, F.	Watt, W. A.
Blakeley, A.	Bowden, E. K.
Makin, N. J. O.	Blundell, R. P.
Mahony, W. G.	Livingston, J.
Watkins, D.	Jowett, E.
Nicholls, S. R.	Lamond, Hector
Page, James	Higgs, W. G.
Considine, M. P.	Hay, A.
Mahon, H.	Prowse, J. H.
Fenton, J. E.	Fleming, W. M.
Catts, J. H.	Bamford, F. W.
West, J. E.	Marks, W. M.
Mathews, J.	Fowler, J. M.
McDonald, C.	Atkinson, L.
Maloney, Dr.	Best, Sir Robert
Tudor, F. G.	Chapman, Austin

Question so resolved in the negative.

Proposed new clause negatived.

Progress reported.

House adjourned at 11.27 p.m.

House of Representatives.

Friday, 3 September, 1920.

Mr. SPEAKER (**Hon. Sir Elliot Johnson**) took the chair at 11 a.m., and read prayers.

NORTHERN TERRITORY.

REPORT BY MR. DAY.

Mr. RICHARD FOSTER.—Will the Minister for Home and Territories lay on the table of the House the report on the Northern Territory by Mr. Surveyor Day. It is a very useful report, containing information in regard to railway matters and stocking, and I suggest that this action be taken with a view to having it printed.

Mr. POYNTON.—Some little time ago the honorable member for Boothby (Mr. Story) brought the report under my notice, and I found, on inquiry, that it was out of print. I then gave instructions that this report, and also another of a useful character, should be printed, and I hope to have copies ready for circulation at an early date.

SUGAR SHORTAGE IN SOUTH AUSTRALIA.

Mr. GABB.—The honorable member for Hindmarsh (Mr. Makin) and I have received telegrams from members of the Labour party in the South Australian Parliament, drawing attention to the shortage of sugar in that State, and intimating that citizens are being rationed. I desire to ask the Minister for Trade and Customs whether the Government can do anything to alleviate the position?

Mr. GREENE.—The position in South Australia is practically the same as that throughout the Commonwealth. It has been caused mainly by the lateness of the Queensland season. Sugar, however, is now coming to hand. All the mills, I believe, are now working.

Mr. TUDOR.—Including the Mackay mills?

Mr. GREENE.—I think so. We anticipate that, provided shipping facilities are equal to the occasion, we shall be able very shortly to relieve the shortage of sugar throughout Australia.

Mr. TUDOR.—Is it not a fact that a steamer recently left Mackay 600 tons short of its usual cargo?

Mr. GREENE.—I cannot say from memory whether or not that is so. There are so many of these matters that it is difficult to carry all of them in one's mind. I think, however, I can assure the House that at an early date the acute shortage of sugar will be over.

NEW SEASON'S WHEAT: GUARANTEE.

Mr. PARKER MOLONEY.—In the absence of the Prime Minister, I desire to ask the Honorary Minister (Mr. Rodgers) if it is intended that the whole of the proposed guarantee of 5s. per bushel in respect of next season's wheat shall be paid on delivery, or only part of it, and, if so, what will be the proportion so paid?

Mr. RODGERS.—A Board to control the coming harvest has not yet been constituted, so that there is at present no authority to sell or handle wheat, or to deal with the financial side of the matter. As soon as the necessary body has been constituted the question of the dividends to be paid will be decided.

BRITISH CONFERENCE LINES.

PENALIZING SHIPPERS BY COMMONWEALTH VESSELS.

Mr. BURCHELL.—I desire to ask the Prime Minister—

1. Has the attention of the right honorable gentleman been drawn to the fact that the Victorian Agency-General has been penalized by the British Conference Lines, commonly known as the British Shipping Combine, for shipping by vessels of the Commonwealth Government line of steamers.

2. If so, will he inform the House of the circumstances connected therewith.

Mr. HUGHES.—The honorable member was good enough to give me notice of his intention to ask this question, and I desire to furnish the following reply:—

1. Yes. I have received some cable communications from the manager of the lines in reference to it.

2. It appears that the Conference Lines some time ago decided to grant deferred rebates of freight on shipments by vessels of their lines, provided the shippers did not ship by vessels not controlled by the Conference. The shipping agents employed by the Victorian Agency-General forwarded certain shipments on account of the Victorian Government by Conference steamers during the half-year ended 30th June, 1919, and when in due course they claimed the rebates on those shipments, in common with shipments made by them for other principals, it was necessary for them to slightly amend the customary certificate required by the Conference, as they were unable to declare that they had not effected shipment by lines outside the Conference, owing to the fact that they had also shipped by vessels of the Commonwealth Government Line. The Conference Lines intimated that they could not accept declarations which contained any amendment of the printed form. The Conference Lines eventually paid the rebates on the other cargoes, but excluded the Victorian Government items. The Victorian Agent-General thereupon addressed a circular-letter on 29th April, 1920, to the Conference Lines concerned, inquiring whether it was their considered policy to penalize the Government of Victoria solely on account of its action in supporting the Commonwealth Government Line. The only reply received was from Messrs. Birt, Potter, and Hughes, who stated that they could not recognise any claim by the Victorian Government for rebates, as the conditions under which such rebates were granted had not been complied with. In order that the Victorian Government shall not be penalized through its action in shipping by the Australian vessels, the Commonwealth Government Line has agreed to refund the amount represented by the rebates which the Conference Lines have declined to pay.

SUGAR BEET.

Mr. LIVINGSTON.—Will the Minister for Trade and Customs invite the Cabinet to consider the advisableness of encouraging the cultivation of beet sugar in Australia by giving a bonus on its production? It has been abundantly proved that sugar beet can be grown without irrigation in the southern parts of Australia, and I am satisfied that by offering a bonus the Government would encourage the cultivation of sugar beet on a large scale, and thus make Australia independent of outside supplies of sugar.

Mr. GREENE.—I shall be glad to give the matter consideration.

TAXATION OF LEASEHOLDS.

Mr. CAMERON asked the Treasurer, *upon notice*—

1. Is it a fact that there is an anomaly in the Income Tax Assessment Act 1915 to 1918 connected with section 14 (*d*), relating to the consideration which passes on the assignment or transfer of a lease, and that the Commissioner of Taxation will not allow the unexpired portion of the consideration paid by a lessee to be deducted by the legal personal representative of such lessee on the transfer of the lease to a subsequent purchaser?

2. Is it also a fact that the Commissioner of Taxation will not allow a deduction annually for depreciation of the lease under section 20 (i) to be made by such legal personal representative?

3. Will the Treasurer instruct that an inquiry be made into this matter in order to preserve the equitable intention connected with computing the taxable income on transmission of a lease, and take steps, if necessary, to amend sections 14 (*d*) and 20 (i) of the Act, so that it may fully express such intention?

Sir JOSEPH COOK.—The answers to the honorable member's questions are as follow:—

1. There is no anomaly. The Commissioner does allow a deduction in respect of the unexpired value of a lease.

2. See answer to No. 1.

3. In view of the answers to questions 1 and 2, it will be seen that the action suggested is unnecessary.

PARLIAMENTARY ALLOWANCE.

Mr. RILEY (for Mr. BLAKELEY) asked the Treasurer, *upon notice*—

Will he supply the names of honorable members of the House of Representatives and the Senate who have forfeited the increased allowance under the provisions of the Parliamentary Allowances Act, together with the amount forfeited by each member?

Sir JOSEPH COOK.—I would suggest to the honorable member that he consult the President and Mr. Speaker in regard to the question submitted. Allowances to members are paid by the officers of Parliament.

Mr. SPEAKER (Hon. Sir Elliot Johnson).—The suggestion of the right honorable the Treasurer does not appeal to me. I do not think it is any part of the duties of the Speaker to disclose information which may be in his possession concerning the private affairs, financial or otherwise, of honorable members. Such matters, so far as they may be known to him, are regarded as confidential. If information is desired it should be sought elsewhere; and the Treasurer is, in my judgment, the proper authority to whom any inquiries on the subject should be addressed.

Mr. TUDOR.—Do you think, sir, that the Treasurer should answer the question?

Mr. SPEAKER.—The information, if given at all, should be supplied by the Treasurer. It is for the right honorable gentleman himself to say whether it should be given.

Sir JOSEPH COOK.—I should like to say, with your permission, Mr. Speaker, that the intimations issued every month to honorable members in regard to the payment of their allowances are signed by officers of this House, who are under your control.

Mr. SPEAKER.—That is so; but the information is always treated by me as confidential.

WAR GRATUITY BONDS.

Mr. McGRATH (for Mr. BRENNAN) asked the Treasurer, *upon notice*—

In view of the fact that certain firms are undertaking to cash war gratuity bonds, conditional upon the applicant purchasing goods to a certain value, does the Minister exercise, or propose to exercise, any supervision over these transactions, with a view to seeing that such returned soldiers are not victimized by excessive prices?

Sir JOSEPH COOK.—Consent to the acceptance of war gratuity bonds by trading firms is issued on condition that goods supplied as part consideration for the bond are charged at prices not exceeding those ordinarily charged for cash sales. Where it is found that this condition is not complied with, consent to the

transfer is refused. If any complaint is made regarding excessive prices, the matter is investigated by the Treasury.

COCKATOO ISLAND DOCKYARD.

Importation of Forgings.

Mr. RILEY (for Mr. J. H. Catts) asked the Minister for the Navy, *upon notice*—

1. Is it the intention of the Government to import forging for Commonwealth shipbuilding at Cockatoo Dock?

2. Is the Broken Hill Proprietary Company able to supply steel of the requisite size and quality for such forgings?

3. Has a 5-ton hammer been recently erected at Cockatoo Island?

4. Is there a 7-ton hammer at Mort's Dock, Sydney?

5. Are competent forgers available in Australia capable of doing any forgings for any ships it is proposed to build at Cockatoo Island?

Mr. LAIRD SMITH.—Inquiries are being made, and the necessary information will be furnished as soon as possible.

PROPRIETARY COMPANIES.

Mr. TUDOR (for Mr. Brennan) asked the Attorney-General, *upon notice*—

1. May naturalized British subjects, whose country of origin was one of the countries with which we have recently been at war, under any circumstances acquire shares in proprietary companies?

2. If so, what are the preliminary conditions?

Mr. GROOM.—The answer to the honorable member's questions is as follows:—

Yes; if the consent of the Attorney-General is obtained upon application made in the form of a statutory declaration.

WOOL SCOURING.

Mr. HUGHES. — On the 25th August the honorable member for Parkes (Mr. Marr) asked me a question in regard to making wool available for scouring. I then furnished him with certain information, and promised to make inquiries with a view to seeing what could be done in the direction desired by him. I am now in a position to inform the honorable member that the Central Wool Committee received a cablegram from the British Government some months ago in the following terms:—

Scoured wool generally is selling in proportion to greasy even worse than when we last telegraphed you on this subject, not only because prices are so much lower in proportion, but because frequent withdrawals occur for want of buying demands for scoured qualities. We impress on your attention that under conditions of peace the continuance of scouring in Australia on anything similar to its present scale is very bad business, and it would be much more economical to stop your operations, paying up the necessary compensation.

In response to a recent cablegram to the British authorities, the Central Wool Committee have just received the following reply:—

With reference to your telegram No. 1318, regret to say supplies of scoured wool in stock are already disproportionately large and are least saleable portion of our stock. We most decidedly discourage further scouring of old clip wool for the scoured product will be of lower schedule value than the greasy wool.

I do not agree with that view. The policy of this Government, and I hope of the Parliament, is to do everything possible to encourage local industry. I am calling a conference of representatives of all sections of the industry at a very early date, in order that we may consider what should be done.

LONDON DOCKS.

Reported Congestion of Foodstuffs.

Mr. HUGHES.—On Wednesday last the honorable member for Hindmarsh (Mr. Makin) asked me for a reply to a question which he had placed on the notice-paper on the 22nd July, in regard to the reported congestion at the London docks of foodstuffs exported from Australia. I was under the impression that I had already furnished the honorable member with the following reply, which I had prepared on receipt of a cable from the High Commissioners' Office, on 4th August:—

I am now in a position to inform the honorable member that a cable has just been received from the High Commissioners' Office, in response to my inquiry, from which it appears that the reported congestion relates only to meat. The cable states that there is at present difficulty in finding space for frozen meat cargoes; that the *Naldera* has gone into dry dock with a portion of mutton cargo; that the *Port Albany*, which carried, approximately, 42,000 quarters of beef, is unloading, but that space has only been found so far for 12,000

quarters; that the British Ministry of Food states that there is nothing alarming in the meat storage position, and has promised to furnish a statement regarding the matter. The cable adds that there is plenty of room at the dock-sheds for canned and other goods."

The High Commissioners' Office subsequently cabled that the Ministry of Food had reported that all necessary arrangements for the speedy discharge of meat were being made, and that space had been provided for 19,000 quarters of the *Port Albany* beef.

TAXATION COMMISSION.

Sir JOSEPH COOK (Parramatta—Treasurer) [11.14]. — (*By leave.*) — I wish to announce to the House that the Government have appointed a Royal Commission to inquire into the whole question of taxation. It is intended that the Commission shall inquire into and report upon the incidence of Commonwealth taxation and any amendments which are necessary or desirable with a view to placing the system of taxation upon a sound and equitable basis, having regard generally to the public interests, and particularly to—(1) The equitable distribution of the burden of taxation; (2) the harmonization of Commonwealth and State taxation; (3) the giving to primary producers of special consideration as regards the assessment of income tax, particularly in relation to losses resulting from adverse weather conditions; and (4) the simplification of the duties of taxpayers in relation to returns and in relation to objections and appeals.

Mr. RYAN.—That is a sop to prevent further action by the primary producers.

Sir JOSEPH COOK.—The honorable member always suggests something sinister in connexion with anything proposed by the Government. The chairman of the Commission will be William Warren Kerr, C.B.E., and the other members, John Joseph Garvan, John Jolly, John Gibson Farleigh, William Thomas Missingham, John Thompson, and Stephen Mills, C.M.G. It will be seen that the Commission is being made as widely representative of all interests as possible. We hope that it will search this question thoroughly with the greatest possible advantage to the taxpayers as a whole.

Mr. RYAN.—When is it to report?

Sir JOSEPH COOK.—I very much regret that we have not been able, as we desired, to secure a representative upon the Commission of organized labour in Australia. Those representing organized labour were approached, but they refused to take any part in this inquiry.

CONCILIATION AND ARBITRATION BILL.

In Committee (Consideration resumed from 2nd September, *vide* page 4187):

Mr. CUNNINGHAM (Gwydir) [11.18]. —I move—

That the following new clause be added:—

The following is inserted in the principal Act:—

"Independent Industrial Inspectors shall be appointed whose duty it shall be to see that the terms of awards are completely and satisfactorily carried out."

My object in submitting this proposal is that awards of the Arbitration Court, having all the force of law, are not now properly carried out, because there are no inspectors appointed to see that their terms are observed by employers. This is not a new proposal, because under certain State Arbitration Acts provision is made for the appointment of industrial inspectors, whose duty it is to visit factories and other places in which persons are employed under arbitration awards and see that the terms of the awards are properly observed. It is in the interests of industrial peace that this should be done. If industrial inspectors are appointed, as I desire, their work will do away with a good deal of friction that exists to-day in various industries arising from the fact that the employees have to police the awards themselves. Representatives of labour organizations are thus brought into conflict with employers, and so far from an award of the Arbitration Court being of advantage to them, it is often a source of hardship, because they are penalized for desiring to have the award carried out.

Under existing conditions, there is a feeling of uncertainty because of the inability of employers and employees to properly interpret the terms of an award. No employer can be expected to properly interpret the terms of an award unless he has an intimate knowledge of the whole case in connexion with which it was made, and knows what the Court aimed at in making it. Employees suffer because no provision is made for competent inspectors, who will thoroughly understand the terms of an award and be in a position to give a correct interpretation of them.

In the pastoral industry I have known misunderstandings to arise between employers and employees because of a difference of opinion as to the proper interpretation of an award of the Arbitration Court. The pastoralist appeals to the Pastoralists Union and the employees appeal to the Australian Workers Union to know how an award should be interpreted. The organizations may give different interpretations, because they will consider the award from different points of view. Independent inspectors are needed who, in such cases, may be appealed to for an impartial decision as to what was the intention of the Court in making the award.

To-day, in the pastoral industry, there is a feeling of dissatisfaction amounting almost to disgust at the way in which many of the employers have failed to observe the terms of awards of the Arbitration Court. Embodied in the award affecting the pastoral industry there is a provision for good and sufficient accommodation for employees. In New South Wales that is taken to mean provision in accordance with the Shearers' Accommodation Act, passed by the State Parliament. The police administer the provisions of that Act, and, as I have mentioned on previous occasions, that is unsatisfactory to the employees for a number of reasons. It should not be the duty of the police to look after these things. They already have too much to do, and the employees in the pastoral industry suffer as a consequence of the false position in which the police are placed with the employers in the industry. To-day the policing of awards of the Federal Arbitration Court has to be carried out by the organized body of unions at a cost of thousands of pounds. It is in the interests of the community generally that this policing of awards should be carried out effectively, and as the awards represent the will of the people as expressed through the Arbitration Court, the community, as a whole, should bear the cost of seeing that they are properly interpreted and observed by the employers in order that the employees may receive the full benefit which the Arbitration Court intended that they should receive. At present, because of the lack of independent inspectors to see that the terms of awards are properly observed, the employers reap a decided advantage which it was never intended they should be given. Where only five or six men are employed in some remote place, they can secure no redress from their employer as they are not strong enough to go to law with him if the employer put a wrong interpretation on the award. The employees in many of these cases are practically nomads—they may be here to-day and 200 miles away to-morrow, or as soon as employment ceases at the particular place where a dispute may occur. Where small bodies of men are employed at places distant from centres of population they suffer because no one is appointed to police awards of the Arbitration Court. I hope that the Minister in charge of the Bill will accept the proposal I submit, because I am confident that the appointment of independent inspectors would prevent friction and would bring about better understanding between employer and employee.

Mr. GROOM (Darling Downs—Minister for Works and Railways) [11.30].—I cannot see my way to accept the proposed new clause which introduces an innovation into this legislation by seeking to build up an army of inspectors throughout the Commonwealth. There is no necessity for such a staff. Section 41 of the Act provides—

> The President and every person authorized in writing by the President or Registrar may at any time during working hours enter any building, mine, mine working, ship, vessel, place, or premises of any kind wherein or in respect to which any industry is carried on or any work is being or has been done or commenced, or any matter or thing is taking or has taken place in relation to which any industrial dispute is pending, or any award has been made or any offence against this Act is suspected, and may, to the extent and for the purposes named in the authority, inspect and view any work, material, machinery, appliances, or article therein.

An amendment which the Committee has already made gives power to inspect also books or documents. Therefore, under existing legislation, any person who wishes to inquire as to the carrying out of an award may get the necessary authority from the President or Registrar, and make an inspection.

Mr. CUNNINGHAM.—But he must obtain an authority first.

Mr. GROOM.—Yes. Why should the honorable member have a right to enter business premises and demand to see the employer's books?

Mr. CUNNINGHAM.—I do not wish to do that. I ask for the appointment of inspectors to police the award.

Mr. GROOM.—But the honorable member said so. There is no necessity for that.

Mr. CUNNINGHAM.—Why are they appointed under the State laws?

Mr. GROOM.—The honorable member is confusing the Arbitration Act with the Factories Act. Under the latter a whole series of duties is imposed, but the conditions of an award are not statutory; they are conditions imposed by a Court, and affect only the parties concerned. Section 41 is similar to the provision in the Acts of New South Wales, New Zealand, and Western Australia, and is for the purpose of giving power to see that awards are complied with. Therefore there is no necessity to create a whole army of inspectors to travel all over Australia for the policing of awards.

Mr. PARKER MOLONEY (Hume) [11.35].—I can see no objection to the proposed new clause. The Minister's statement evaded the real issue. Under the State Arbitration Acts provision is made for the appointment of inspectors, whose duty it is to police awards.

Mr. MCDONALD.—Queensland has inspectors under the Arbitration Act.

Mr. PARKER MOLONEY.—Yes; not under the Factories Act, as the Minister stated. I will state a case which illustrates the necessity for policing awards. Inspectors one day entered the premises of a big city firm, whose employees were covered by an Arbitration Court award, and found that no seats had been provided for the female shop assistants. They were not aware that they were entitled under the award to that accommodation, but when the inspectors pointed out to the employer and to the assistants that the award required seats to be provided, that was immediately done. That instance shows that very often employees are not aware of the conditions of an award.

Mr. CUNNINGHAM.—Even if they were, and made complaint, they would probably be discharged.

Mr. PARKER MOLONEY.—That is so. There is a necessity for the appointment by the Commonwealth of paid inspectors, whose duty shall be to see that effect is given to the provisions of an award.

Mr. LAVELLE (Calare) [11.39].—I support the proposed new clause. Last night, when I proposed to insert a similar provision, the Minister (Mr. Groom refused to accept it on the ground that it was not constitutional, but his reason for opposing the amendment now before the Committee is that the necessary provision is already contained in the Act. If the proposal was unconstitutional last night, it is extraordinary that it should be constitutional this morning. We all know the necessity for having awards policed. It is not fair to throw upon the employees the responsibility of seeing that the awards are observed, because we know that the employee who calls attention to the breach of an award is victimized.

Mr. RYAN (West Sydney) [11.40].—The Minister (Mr. Groom) in his weak reply to the case made out by the honorable member for Gwydir (Mr. Cunningham), avoided the real issue. The object of the amendment is to secure the appointment of Commonwealth inspectors who will have a full knowledge of the requirements of an award, and be also in sympathy with the workers. The Minister stated that the responsibility of making these appointments did not devolve upon the Commonwealth, because inspectors should be appointed by the States under the Factories Acts, which provide for proper accommodation in industries. In the awards of the Commonwealth Court, there is usually a condition that the accommodation for the employees shall be up to the standard prescribed by the State laws. If the accommodation is not up to that standard, there is a breach of the award, and it is right that such breach should be followed by a prosecution by a Commonwealth official. The police, who do their ordinary work very efficiently, and are a capable body of men, are too busy to supervise the operation of awards, and should not be expected to do so. The proposed new clause is a reasonable one, and I hope that the Minister will reconsider his refusal to accept it.

Sir GRANVILLE RYRIE.—Does not the honorable member think that the inspectors should be impartial men?

Mr. RYAN.—Certainly.

Sir GRANVILLE RYRIE.—The honorable member said that they should be men who were in sympathy with the workers.

Mr. RYAN.—They should be in sympathy with the spirit of the Act under which they are working. In the pastoral industry, for instance, inspectors should be in sympathy with the great body of the men engaged in the industry, and with the spirit of the Arbitration Act. The Minister would have no difficulty in selecting suitable men for policing awards, men experienced in the industry. Does the Assistant Minister (Sir Granville Ryrie) object to the principal underlying the amendment? Of course, the Minister would be the judge of the competency and suitability of the men appointed.

Mr. GREGORY.—It would be very difficult to police awards in the Northern Territory and Western Australia. Inspectors could not inspect every shearing shed.

Mr. RYAN.—The honorable member's suggestion is that we cannot insure that awards are carried out in those remote parts. We are not asking that there should be a paid inspector in each shed.

Mr. GREGORY.—But the inspector would have to travel about.

Mr. RYAN.—Yes; he might not be able to visit every shed in each season, but he would cover a good deal of ground, and in time would visit all sheds. The fact that there are difficulties in the way of administering a particular law is no argument why an effort should not be made to have it properly administered. I am glad to see that some honorable members opposite are interested in this proposal, and perhaps we may have the support of the Assistant Minister for Defence who, by implication, is in favour of the proposal. Perhaps that honorable gentleman will use his influence with his more recalcitrant colleagues to see that this amendment is adopted.

Mr. LAZZARINI (Werriwa) [11.46].—I desire to support the proposed new clause moved by the honorable member for Gwydir (Mr. Cunningham), as it is a necessary provision to include in such a measure and would enable awards to be made more effective. In many country industries where arbitration awards apply there is always a possibility, owing in some cases to ignorance and in others to deliberate intent or carelessness, for some of the provisions of an award not to observed in their entirety. It is impossible to expect State police officers, who operate under different Acts and authorities, to devote the attention that is necessary to seeing that Commonwealth arbitration awards are fully observed. If the amendment is embodied in the Bill, it will tend to make arbitration more effective and will enable workers to have more confidence in the awards. I cannot speak from actual experience, but I have heard from time to time that an unreasonable burden is placed on unions in the country when they have to undertake this work. In connexion with city industries, where inspectors are operating under State awards, it is necessary to have organizers making inquiries, but unfortunately they have to perform their work without authority and in a secretive manner. An effort should be made to avoid that, and the unions should be relieved of the burden by having properly appointed officials to police the awards. If the amendment is accepted it will be the means of increasing efficiency, and creating more confidence in arbitration generally. In view of the industrial upheavals that occur from time to time, it is the duty of the Government to accept any amendment which will be the means of creating harmony. The proposal should commend itself to all fair-minded people, and I trust that it will have the support of honorable members opposite, because I believe it is one that would be generally acceptable.

Mr. GREGORY (Dampier) [11.50].—I rise to draw attention to the fact that it would be difficult to have inspections at shearing sheds, particularly in the back-country of Western Australia, Queensland, and the Northern Territory. I am satisfied that the workmen of Australia are sufficiently intelligent and alert to take care that any award under which they are working is fully observed by the employers.

I know the Australian workmen fairly well, and I rose more particularly to direct attention to a statement made last night concerning the remark which I was supposed to have made concerning the

Australian workmen. I know that the Leader of the Opposition (Mr. Tudor) would not wilfully misrepresent any honorable member in this Chamber. He must have been misled by a statement made by the honorable member for Ballarat (Mr. McGrath), who usually expresses himself in a somewhat breezy way, might I say with a breath of "Ozanne." That honorable member said that I had slandered the Australian workmen, but after carefully perusing the *Hansard* report of my speech in reference to a statement made by the honorable member for Flinders (Mr. Bruce) that a reduction of hours did not always mean a reduction in output; I find that there was not the slightest justification for such a statement. I referred to the women who worked in factories in England during the war period, and how they had doubled the output of the men.

The CHAIRMAN (**Hon. J. M. Chanter**).—Order! The honorable member is not discussing the proposed new clause, but is making a personal explanation.

Mr. GREGORY.—I was merely referring to Australian workmen, and showing that they are sufficiently intelligent and resourceful to prevent an award being infringed. I am satisfied that satisfactory inspections could be made in places by the State police, but it would, of course, be impossible for them to visit the remote portions of Western Australia, Queensland, and the Northern Territory. I desire to refute the statement made last night that I had slandered the Australian workmen.

Mr. TUDOR (Yarra) [11.53].—Although I shall support the amendment moved by the honorable member for Gwydir (Mr. Cunningham), it is not my intention to discuss it at this juncture. I merely desire to say that I am glad the honorable member for Dampier (Mr. Gregory) agrees with me that the Australian workmen are among the best in the world.

Question—That the proposed new clause (Mr. CUNNINGHAM'S amendment) be agreed to—put. The Committee divided.

Ayes	12
Noes	30
Majority	18

AYES.

Charlton, M.	McGrath, D. C.
Cunningham, L. L.	Ryan, T. J.
Gabb, J. M.	Tudor, F. G.
Lavelle, T. J.	
Lazzarini, H. P.	*Tellers:*
Maloney, Dr.	Brennan, F.
McDonald, C.	Moloney, Parker

NOES.

Bayley, J. G.	Lister, J. H.
Bell, G. J.	Mackay, G. H.
Bruce, S. M.	Marr, C. W. C.
Cameron, D. C.	Maxwell, G. A.
Chapman, Austin	McWilliams, W. J.
Cook, Sir Joseph	Page, Dr. Earle
Cook, Robert	Poynton, A.
Corser, E. B. C.	Rodgers, A. S.
Fleming, W. M.	Ryrie, Sir Granville
Foster, Richard	Smith, Laird
Fowler, J. M.	Wienholt, A.
Gibson, W. G.	Wise, G. H.
Greene, W. M.	
Gregory, H.	*Tellers:*
Hill, W. C.	Burchell, R. J.
Hughes, W. M.	Story, W. H.

PAIRS.

Anstey, F.	Watt, W. A.
Blakeley, A.	Bowden, E. K.
Makin, N. J. O.	Blundell, R. P.
Watkins, D.	Jowett, E.
Nicholls, S. R.	Lamond, Hector
Page, James	Hay, A.
Considine, M. P.	Higgs, W. G.
Mahony, W. G.	Prowse, J. H.
Mathews, J.	Jackson, D. S.
Mahon, H.	Stewart, P. G.
West, J. E.	Marks, W. M.
Fenton, J. E.	Livingston, J.
Catts, J. H.	Best, Sir Robert
Riley, E.	Groom, L. E.

Question so resolved in the negative.

Proposed new clause negatived.

Title agreed to.

Bill reported, with amendments.

Motion (by Mr. HUGHES) agreed to—

That the Bill be recommitted for the reconsideration of clause 4 with a view to the addition of a further sub-clause as printed and circulated, and for the re-consideration of clause 16 with a view to the alteration of a paragraph as printed and circulated.

In Committee:

Clause 4—

Section 9 of the principal Act is amended by inserting . . . .

Amendments (by Mr. HUGHES) agreed to—

After the word "amended" insert "—(*a*)".

That the following words be inserted at the end of the clause, "; and

(*b*) by inserting therein after sub-section (1) the following sub-section:—

'(1A) An employer shall not threaten to dismiss an employee, or to injure him in his em-

ployment, or to alter his position to his prejudice—

(*a*) by reason of the circumstance that the employee is, or proposes to become, an officer or member of an organization, or of an association that has applied to be registered as an organization, or that the employee proposes to appear as a witness or to give evidence in a proceeding under this Act; or

(*b*) with the intent to dissuade or prevent the employee from becoming such officer or member or from so appearing or giving evidence."

Penalty: Fifty pounds.

Clause 16—

Amendment (by Mr. HUGHES) agreed to—

That the words "(*c*) any officer of the organization authorized under its rules to sue on behalf of the organization" be left out with a view to insert in lieu thereof the words "(*c*) any officer of any organization which is affected, or any of whose members are affected, by the breach or non-observance, who is authorized under the rules of the organization to sue on behalf of the organization.

Bill reported with further amendments.

Standing Orders suspended; report adopted.

THIRD READING.

Motion (by Mr. HUGHES) proposed—

That the Bill be now read a third time.

Mr. CHARLTON (Hunter) [12.5].—This Bill emerges from the Committee stage with amendments, several of which were requested by the organizations concerned, and also by the Arbitration Court itself. It had been proved during the operation of the Act that to facilitate matters and insure smooth running these amendments were necessary. But I desire, as briefly as possible, on behalf of this side of the House, to enter a protest against two of the amendments that have been incorporated in the measure. The first is the amendment of section 8, which provides that any one who instigates or incites any member of an organization to do anything in the nature of a strike shall be subject to penalties. The amendment considerably increases the scope of the section in the Act, which we hold was ample for all purposes. It may be held by honorable members that, as the amendment applies to both lockouts and strikes, there can be no objection to it. There is, however, a vast difference between a strike and a lockout; and it is most difficult to prove a lockout, as I recall from my experience of industrial arbitration from its inception. In the early days, under the first Arbitration Act of New South Wales, when I was associated with the late Mr. James Curley, general secretary of the Miners Federation, awards were given, but it was found that the conditions of work were altered. This alteration of conditions was held not to constitute a lockout, on the ground that the proprietors declared that the mines were open and the men were not stopped from working. Although the men were working under an award, they were told that they ought to return to work, and submit their grievances to the Court. I merely mention this to show the difference in the two positions. We hear much about strikes, but many so-called strikes are only short stoppages of work for reasons such as I have indicated. The Conciliation and Arbitration Act has prevented many big industrial upheavals, and has done much good generally, notwithstanding what may be said to the contrary. The amendment of section 8 may involve, not the whole of a union, but, perhaps, only some section of it, and bring about a stoppage of work which will be regarded as a strike, and subject the whole organization to penalties. For that reason we take exception to the clause as it now stands.

Now I come to another clause which is even more far-reaching than that to which I have referred. I mean the clause we debated yesterday, which, for the first time in the history of arbitration, makes it imperative that the question of hours shall be determined by at least three Judges. Hitherto one Judge has been regarded as sufficient to deal with all industrial matters in dispute, and I can see no difference between the question of wages and the question of hours—the two most prominent features of all industrial conditions. In the one case, however, a single Judge is deemed sufficient, while in the other there must be three. We on this side take strong exception to that amendment of the Act. The Prime Minister (Mr. Hughes) last night made it clear that the new section will not apply to the case now before the Court, and, in my opinion, he did the right thing. I disagree with the new provision altogether; but, in any case, it would have been a wrong procedure, even if the majority of the House

considered it necessary, to incorporate a clause of the kind and permit it to apply to a case now being heard. To that extent the debate yesterday did good; it cleared the atmosphere, and, I suppose, has much relieved those concerned in the case before the Court. They know now that that case, which they have been fighting for some time, will not be affected by the change in the law. In view of those two amendments, we on this side of the House cannot support the measure as we should have liked to be able to do.

Mr. RYAN (West Sydney [12.10].—The honorable member for Hunter (Mr. Charlton) has made some observations with which I entirely agree, so far as concerns the sins of commission on the part of the Government with regard to certain amendments; but I should like to say a word or two on their sins of omission—which are greater than their sins of commission—in connexion, not only with the Bill before us, but with the Industrial Peace Bill.

Mr. BRENNAN.—I am afraid you will have no time to do that this session.

Mr. RYAN.—I dare say not, but there is one outstanding sin of omission, namely, the failure of the Government to deal with the real cause of most of the industrial unrest in Australia to-day. The Government have failed to grapple with the question of profiteering; they have failed to exercise their powers under the Constitution to deal with what is the real cause of the dissatisfaction with the decisions of Arbitration Courts and such tribunals. There is no means by which the purchasing power of wages may be kept constant. The Government failed to base the Industrial Peace Bill on all the powers they possess under the Constitution, and hinged it on one single power. That is like building a superstructure on a narrow foundation of a foot wide, when there is a broad base of twelve feet available; and the same remark applies to the Bill now before the House. For those reasons I cannot congratulate the Government on the manner in which they have faced the problem that the people of Australia desired to see faced. They have faced the position ineffectually; and although some of their measures may afford temporary relief, I cannot expect they will result in complete and permanent relief for the future. The Government should have exercised all the powers they possess under the Constitution. There is one power particularly under which the Government may conduct a complete investigation, and that is the power over taxation. The Commonwealth Parliament has complete power over taxation, and complete power of investigation under that power of taxation. The investigation we have been asking for from this side in regard to profits from the point of production until commodities reach the consumer, could be conducted under the taxation power, and the information received could be used under the arbitration power. But the Government have consistently and persistently refused to exercise the power they have, and I forecast that some of the provisions of the measures we have passed, or, at all events, some of the decisions under them, will be held to be unconstitutional. It has been suggested that some of the organizations will be driven out of Arbitration Court because of certain of the amendments that have been introduced into the present Bill by the Government, and will have resort to the Tribunals to be established under the Industrial Peace Bill. That may be, but, if it is so, we shall find that these Tribunals or their decisions will be held to be unconstitutional, and the organizations, driven from pillar to post, will get no complete relief. Therefore, I enter a protest, and a very definite protest, against the persistent failure of the Government to exercise the powers they possess under the taxation provisions of the Constitution. Until they do exercise those powers we shall not have complete and effective legislation to deal with industrial unrest.

Mr. BRENNAN (Batman) [12.14].—There is only matter of principle to which I wish to refer in sending this Bill on its way. As a result of the very vigorous debate that took place in this Chamber yesterday, and consequent on the partially successful efforts, at least, made by members on this side of the House, with the assistance of some members on the other side, we have this result: Those unions which have had the good fortune to be engaged in disputes that have come into issue before the passing of this Bill find, happily for themselves, that the question of the standard of hours is being deter-

mined by an altogether differently constituted Tribunal from that which will determine the regulation of hours in future. This circumstance will create inconsistency and, perhaps, heartburning.

I wish now to direct a final word to one of the fallacies underlying the arguments of some of those vigorous champions of longer hours who addressed themselves to this question yesterday. There can be no doubt in the mind of anybody who listened attentively last evening to the speech of the Prime Minister (Mr. Hughes), who entered the chamber at the eleventh hour for the purpose of dragging the Bill out of the difficulties in which some of his own supporters had landed it, that his contention was that in the future the workers should work longer hours than they have been accustomed to work. That deliberate challenge to the working classes will not make for industrial amity. But it will clear the air by making known what is the policy, not only of those who have consistently opposed Labour, but of those who have rallied to the support of that policy as the result of their leaving the Labour ranks. One of the fallacies underlying the speech of the right honorable gentleman was the supposition that the power which the Judge now possesses, and has possessed for the past sixteen years, in regard to the regulation of hours, necessarily means that a reduced number of hours will be worked. It means nothing of the kind. It simply enables the Judge of the Arbitration Court, having regard to all the circumstances of the case, and to the special conditions under which work may be performed, to say what, in his view, constitutes a fair day's work from the standpoint of the hours of employment. It does not prevent employers from enlisting workers to work in excess of that period so long as the rate of wages paid in such circumstances is based upon what the Judge assumes to be a fair working week. I think that these two points should be stressed at the conclusion of this debate. Obviously, the intention of the Government is to increase the number of working hours in order that the huge cost of the colossal and tragic war through which we have just passed may be borne by the working classes. The second fallacy underlying the statements of honorable members opposite is in supposing that the power which we desired to give to the Judge would result either in a reducton of the hours of labour or in a diminution of the output.

Mr. TUDOR (Yarra) [12.20].—There is just one point to which I directed the attention of the Minister for Works and Railways (Mr. Groom) yesterday, namely, whether it is not possible to simultaneously convene special conferences in the various States—conferences which would be presided over by Deputy Presidents of the Arbitration Court. I was speaking to the secretary of the Carters and Drivers Union in Melbourne quite recently, and he pointed out that during the influenza epidemic the union desired a special conference to be summoned. The Judge of the Court, however, was reluctant to summon it, because by so doing he would have had to bring men from States which were free of influenza to a State in which it was prevalent. Had there been power to summon a compulsory conference in the various States, although those bodies might not have arrived at finality, they would have got well forward in their negotiations.

Mr. HUGHES.—I am afraid that I have not clearly in my mind the conference to which the honorable member refers.

Mr. TUDOR.—The Bill empowers a special conference to be called, over which a Deputy President may preside. The question is whether more than one conference cannot be called in the States at the same time. If that course could be adopted, we might be able to get to closer grips of the question in dispute. The Minister for Works and Railways promised to consult the Crown Law authorities upon the matter, and stated that, if necessary, he would have the Bill amended in another place in the direction which I have indicated. I agree with the honorable member for Hunter (Mr. Charlton) that the amendments to which he has referred will not make for that industrial peace which we all desire.

Question resolved in the affirmative.

Bill read a third time.

PAPER.

The following paper was presented:—

War Service Homes Act—Land acquired under, at Wollongong, New South Wales.

ARBITRATION (PUBLIC SERVICE) BILL.

SECOND READING.

Mr. HUGHES (Bendigo—Prime Minister and Attorney-General) [12.24].—I move—

That this Bill be now read a second time.

The Bill is the third of that series of industrial measures which the Government have recently introduced into this Parliament. It has already received consideration in another place. Its object is primarily to relieve the congestion in the Arbitration Court which has become of so serious a character as to menace the industrial peace of the community. The Bill will remove from the Arbitration Court some thirty-three cases which are now on the list, and—although I am not speaking from the book—I think that will reduce the number of cases listed, by at least one half. It is *primâ facie* a most desirable thing that those disputes which did menace the welfare of the country, and which could not be heard because of the congestion to which I have referred, should have ampler opportunities for being dealt with.

The Bill is intended to supersede the existing Public Service Arbitration Act except as regards the claims which are pending. It does not affect the claims that have been part heard. The existing law was enacted at the instance of a Government of which I had the honour to be a member. As a matter of fact, I think that it was introduced by myself. It was introduced as the result of widespread dissatisfaction in the Public Service against a system which did not afford any appeal from the Public Service Commissioner's decision, and which cut off public servants from those other avenues of redress which were open to the ordinary citizen in his capacity as employee. In practice, however, it has been found that the circumstances of the public servants of the Commonwealth, governed as they are by the laws of the Commonwealth, and regulated as they are most precisely by the regulations under the Public Service Act, render inevitable an eternal conflict between the awards of the Court and the regulations to which I have referred, which, of course, derive their authority from the statutory law enacted by this Parliament. As honorable members are aware, the Public Service Act, dealing as it does with many thousands of men who are engaged in very many different branches of very many occupations, is a most complex mechanism. When an Act and the regulations thereunder govern the salary, the conditions of labour, the circumstances of promotions, &c., of every individual, it must be very apparent that a stranger coming into a dispute between public servants and the Commonwealth must be at a loss to thread his way through the ramifications of the statutory provisions and the regulations thereunder, and at the same time to understand the bearing which an award in respect of one section of the Civil Service has upon another section. The Public Service is a homogeneous structure. The principle upon which it is based is that promotions shall be determined, other things being equal, by length of service. And the relations between grades A and B are such that the distances between them must always be observed; so that to lift up Grade A involves a similar increase for Grade B, and similarly for Grades C and D. It must be obvious, then, that a man who is not habituated to the Service would find himself at a great disadvantage when he came to deal with it. That is one factor for consideration. The other is that the congestion in the Arbitration Court—blocked, as it is, by Public Service claims—seriously hinders those industrial disputes which menace the peace of the community from being considered.

The Bill, beyond proposing the appointment of a person who is referred to as an Arbitrator, but who, for all practical purposes will be a Judge of the Public Service Arbitration Court, leaves public servants in exactly the same position as at present. They will have this advantage, however, that their cases will be dealt with much more speedily than to-day, and by a man who will be thoroughly informed of the interests and general conditions of the Public Service, for the reason that his business will be confined within the four corners of this measure. The principle of arbitration for the settlement of disputes in the Public Service by an appeal to Cæsar—that is to say, the Public Service Commissioner—is one which I took up many years ago at the instance of the public servants themselves, and they not

only approved of that principle, but most heartily supported it. The Arbitrator now proposed to be appointed will differ from a Judge only in name, and if any honorable member cares to move for an alteration in that particular aspect, I will be prepared to listen to him. If any honorable member were to move that the Arbitrator should not be a lawyer—and in this matter I look for support as well as consolation from my friend the honorable member for Batman (Mr. Brennan)—I would be prepared to consider the proposition. The point is that the Arbitrator can be a layman, or he can be a lawyer. With the exception of this appointment of a special Judge, or Arbitrator, I emphasize that public servants will find themselves in exactly the same position as at present, only that they will be able to have their cases more speedily dealt with.

Awards, as they are made, will be dealt with exactly as in the case of awards of the Arbitration Court to-day. That is to say, they will be required to be laid on the table of Parliament for thirty days before coming into effect.

Mr. CHARLTON.—What is the procedure when Parliament is not sitting?

Mr. HUGHES.—It is necessary to wait until it does sit.

Mr. TUDOR.—The last occasion when a position such as that arose was on the last day of our sitting prior to the recent adjournment in connexion with the visit of the Prince of Wales. There were then some six or eight awards which would have become operative within a day or two. In view of the fact of the adjournment of Parliament when those awards had not remained on the table for quite the full number of days, the Prime Minister promised that the parties concerned would be paid their increased wages as from that period; that is to say, they would not lose by the fact of the adjournment.

Mr. HUGHES.—That is so. The Government will be prepared to insert in this Bill such amendments as may be deemed necessary in order to preclude the possibility of people concerned being shut out by some mere technicality. Still, this Parliament, too, has its rights. The Arbitrator might make an award to the effect that certain public servants should not receive the promotion which they considered their due; or he might institute a reduction of salaries owing to a decrease in the cost of living. Parliament should see to it that it retains all its rights in view of such possibilities.

There is little further to which I would direct the attention of honorable members. I repeat that all the Bill proposes to do is to create a Public Service Arbitration Court. Presiding over it would be one who could be either a lawyer or a layman, but who would be concerned in no other interests. Honorable members must admit that this will be a far better method of dealing with Public Service affairs than that which exists to-day, where a Judge of the Commonwealth Court of Conciliation and Arbitration is required to give so much of his attention to a Public Service matter arising as he may be able to spare in the course of dealing with industrial problems emanating from any and every industry throughout the land. The tenure of office of the Arbitrator will be, for all practical purposes, the same as that of a Judge. He can be appointed for a term of seven years, and will be eligible for re-appointment. With respect to salary, no specific sum is stated in the Bill. In another place, however, the amount of £2,000 per annum was mentioned. The Government will listen to suggestions concerning salary, but the specific amount cannot be inserted until an appropriation shall have been secured.

I ask honorable members not to forget that we have now been giving extensive consideration to the subject of arbitration, in varied phases. There is nothing new in this measure such as could invoke those thunderous denunciations, or those pathetic appeals, which, at various stages of yesterday's debate, were heard in this Chamber. This is a Bill which violates no principle and introduces no innovation. It rests upon abundant precedent. And, further, it is quite right that the measure should take the form which it has done; for, after all, we shall be shortly considering a Bill to amend the Public Service Act, when honorable members will be able, if they desire, to re-adjust the whole basis of Public Service salaries, or the system of entrance, or any other matter, indeed, having to do with the Service.

Mr. TUDOR (Yarra) [12.41].—I do not feel ready to proceed with the debate

at this stage, and I ask the Prime Minister to agree to an adjournment. This Bill involves an entirely new principle.

Mr. Hughes.—Certainly not!

Mr. TUDOR.—I desire an adjournment until the next day of sitting. There are numbers of other measures which can be proceeded with.

Mr. Hughes.—The honorable member can go on talking about this Bill without placing himself at any disadvantage.

Mr. TUDOR.—I will be better able to do so on Tuesday next.

Mr. Hughes.—I shall be willing to agree to an adjournment provided that the measure is finished with—lock, stock, and barrel—by Wednesday night of next week.

Mr. TUDOR.—I am not in a position to agree to that. This Bill sets out to deal with more than 20,000 permanent employees in the Commonwealth Public Service, each one of whom will be vitally interested. It is not a measure which should be rushed. I would not be a party to the holding up of this or any other Bill, and I will do my best to facilitate its progress; but I appeal for an adjournment at this stage.

Mr. Hughes.—I can agree only upon the understanding that the whole matter be concluded on Wednesday night.

Mr. TUDOR.—Then I ask leave to continue my remarks at a later stage.

Leave granted; debate adjourned.

AUDIT BILL.

In Committee (Consideration of Senate's amendments):

Clause 3—

The Audit Department of the Commonwealth shall be a separate Department, and the Auditor-General shall be the permanent head of the Department.

Senate's Amendment.—Leave out the clause.

Sir JOSEPH COOK (Parramatta—Treasurer) [12.46].—I move—

That the amendment be agreed to.

The Senate has also struck out clauses 4 and 5. These three clauses were inserted at the instance of the honorable member for Capricornia (Mr. Higgs) when the Bill was before this Chamber. They provide for the creation of the Auditor-General and his officers into a separate Department, give him complete control over his officers, and remove him from the ordinary provisions of the Public Service Act, except that any appointments which he makes ordinarily are to be drawn from officers in the Public Service. There is a further special provision that if he needs a specialist from outside he can recommend him to the Government for appointment, and thus secure his services without reference to the Public Service Commissioner. I understand that the Senate has thrown out these proposals for the following reason: We thought, in this Chamber, that we were doing a good thing for the Auditor-General's Department, but it seems that the employees of the Department do not think so. They say that to make them into a separate Department and take them from under the Public Service Act would limit their opportunities for promotion, and they object very strongly to it.

Mr. McWilliams.—Is that the only objection to the clause?

Sir JOSEPH COOK.—Yes, so far as I know. As we shall have to deal shortly with the Public Service in another Bill, this matter is not of very much consequence at the moment.

Mr. Riley.—How many men does it affect?

Sir JOSEPH COOK.—A considerable number. They say that if the clause passes in its present form they will be shut out from any other promotion in the Public Service. This is, therefore, one of those cases where gifts do not appear to be acceptable, and there seems to be no reason why we should insist on the clause, since it is not acceptable to the employees of the Department. That, however, would not weigh so much with me were it not that the whole question will come up again for consideration in connexion with the Public Service Bill. We may, therefore, cheerfully accept the Senate's amendment and excise the clause.

Mr. Ryan.—What does the Auditor-General think about it himself?

Sir JOSEPH COOK.—He has no strong feeling about it at all.

Mr. McDonald.—According to his report he has. He has been asking for a long time for the power to appoint his own officers.

Sir JOSEPH COOK.—That is quite true. I agree that the Auditor-General should be as independent as we can make him, and I sincerely hope that in dealing

with the Public Service generally we shall take care to provide for that. We can do it, however, in such a way as to leave the staff quite contented with the conditions prescribed for them.

Mr. McDONALD.—Will the Auditor-General be in a position to appoint his own staff?

Sir JOSEPH COOK.—Not if clauses 3, 4, and 5 of this Bill are omitted; but the whole matter can be dealt with later, when we are considering the Public Service Bill.

Mr. McDONALD.—That will not give the Auditor-General any additional power.

Sir JOSEPH COOK.—The House can give him any additional power that it thinks fit. As the whole matter can be considered on that Bill, it is not worth while fighting the Senate over a proposal which does not appear to be acceptable to the very officers to whom we intended it to apply, and for whose benefit it was passed.

Mr. ANSTEY.—It was done for the benefit, not of the officers, but of the country.

Sir JOSEPH COOK.—It was done for both.

Mr. RICHARD FOSTER.—The Audit Departments of the various States do not have that restriction.

Sir JOSEPH COOK.—They do not, and the Senate has taken it out of this Bill. I believe, with many other honorable members, that the Auditor-General should, if possible, be made independent, and should control his staff as much as possible.

Mr. McWILLIAMS.—That is the object of this clause.

Sir JOSEPH COOK.—I know it is, but according to representations that have been made to senators, it is not acceptable to the employees in the Auditor-General's office.

Mr. TUDOR.—Were the whole three of these clauses introduced by the honorable member for Capricornia?

Sir JOSEPH COOK.—Yes. I understand that the objection of the Auditor-General's staff is that the Bill shuts them up into a watertight compartment, and limits their chances of promotion in the Public Service generally. That is the reason given in the Senate for the rejection of the clause.

Mr. FLEMING.—That is only camouflage.

Sir JOSEPH COOK.—Whatever it may be, there it is. I should attach more importance to what has been done by the Senate but for the fact that we shall be dealing with the Public Service generally in another Bill. I therefore ask the Committee to agree to the Senate's amendments, so that we may get the Bill through.

Mr. CHARLTON (Hunter) [12.55].—There can be no doubt as to the necessity for the Auditor-General's Department being under a separate head. It has to look after the whole of the financial affairs of the Commonwealth, and it should have, as far as possible, a free hand. The Treasurer (Sir Joseph Cook) has given a reason why the Senate has rejected this clause.

Mr. McWILLIAMS.—A very poor reason.

Mr. CHARLTON.—I shall deal with that. The right honorable gentleman suggests that the reason is that the officers employed in the Auditor-General's Department will not be able to gain promotion if the clause is retained. I am sure nobody here wants to do any injustice to the officers, many of whom have been for years in the Service. They have graduated up from the time they were lads, and look forward to promotion, as every one else does. If the effect of this clause would be to prevent the officers receiving promotion when it is due to them, I do not think the Committee would be doing right to insist on it.

Mr. McGRATH.—It only prevents promotion when they want to be transferred to other Departments.

Mr. CHARLTON.—The honorable member is quite right, but I presume he does not want to prevent that class of promotion.

Mr. McGRATH.—I do. I want them to be specialists.

Mr. CHARLTON.—It is advisable for all the officers of the Auditor-General's Department to be specialists, if possible. The Treasurer said that provision could be made to meet this case in the Public Service Bill. Seeing that the Committee thinks that the Auditor-General should be given the powers that clauses 3, 4, and 5 give him, it would be only fair for the Treasurer to tell the Committee now that he is prepared, when the Public

Service Bill is before us, to make provision whereby the Auditor-General's Department can be kept separate, whilst at the same time safeguarding the interests of those employed in it. We do not want to inflict any wrong or injustice on those now in the Department.

Sir JOSEPH COOK.—This is a case where those employed in the Department do not want what we have offered them.

Mr. CHARLTON.—Yes; but we have to study the interests of the country, and not alone the interests of the officers.

Sir JOSEPH COOK.—It is clear that the staff does not want it. Now address yourself to the question of the interests of the country.

Mr. CHARLTON.—It will be satisfactory if the right honorable gentleman will give us an assurance that the Auditor-General will be left free and untrammelled to conduct his work, while at the same time no injustice is done to his staff. As long as we have that assurance, we need not insist on these clauses. So long as it does not mean the death-knell of the proposal to make the Auditor-General independent, I agree with the Senate's amendment.

Mr. McWILLIAMS (Franklin) [12.58].—I sincerely hope the Committee will not allow the clause to be struck out. If there is one thing we want to preserve, it is the complete independence of the Auditor-General's Department.

Mr. RILEY.—You would not make it supreme over Parliament?

Mr. McWILLIAMS. — Parliament must always be supreme. It can repeal the Audit Act if it likes. I want to see the Auditor-General the master of his own staff. Unless we make some such provision as this Bill contains, an officer, after being trained for years for special work in the Audit Department, may be promoted by seniority into some other position in the Service for which he is quite unfitted, while the Auditor-General is compelled to take in and train officers whom he does not want.

Mr. BRENNAN.—What about other Departments?

Mr. McWILLIAMS.—No other Department is nearly so important.

Sitting suspended from 1 to 2.15 p.m.

Mr. McWILLIAMS.—If we agree to the Senate's amendment striking out clause 3, the omission of clauses 4 and 5 will automatically follow. When this Bill was before the House a very interesting discussion took place as to the position of the Auditor-General, and I think I am correct in saying that the Government offered no serious objection to the insertion of this clause. The one object that we had in view was to place the Auditor-General in a position of independence as far as possible, and to give him complete control of his own Department. The succeeding clauses, which have also been struck out by another place, provide that he shall have power to recommend what appointments shall be made to his own staff. The House deliberately decided that it was essential that he should have that power. The Auditor-General has pointed out again and again in his annual reports that the work of his Department has been seriously hindered because of the lack of some such provision. One can quite understand the objection that has been raised to this clause by officers of the Department.

Sir JOSEPH COOK.—I should like to correct the previous statement made by me. I understand that it was not only the officers of the Auditor-General's Department, but the Clerical Division of the Public Service as a whole, that petitioned the Senate with regard to this matter.

Mr. McWILLIAMS.—The chief objection came, I understand, from the officers of the Auditor-General's Department.

Sir JOSEPH COOK.—I thought so at first, but I find that the objection came from the Clerical Division of the Service.

Mr. McWILLIAMS. — They were afraid that under this clause we should have a continuance of a system that we have been endeavouring to get rid of, under which an officer is promoted on the basis of seniority apart from any question as to his fitness or otherwise for the position. I ask the Committee to reject the Senate's amendment. Under the present system the Auditor-General might have foisted upon him an unsuitable officer, able or not.

Mr. TUDOR.—He has not complained of incompetent officers being foisted on him; he has complained that his staff is undermanned.

Mr. McWILLIAMS.—He does not make many complaints; but the promotion of officers on the basis of seniority alone may lead to picked men of the Auditor-General's Department being transferred to other branches of the Service. Under the process of seniority, men who have been trained there for many years may be transferred to a position in another Department for which they are quite unfit. In the same way, there may be sent to the Auditor-General's Department officers who, however competent to discharge the duties of other branches of the Public Service, are not skilled in the work of auditing accounts. The absolute independence of the Auditor-General, who has the checking of the whole of the accounts of the Commonwealth, is one of our greatest safeguards. This clause was deliberately inserted in the Bill in order that he might be made supreme in his own Department. As to the objection raised that under the clause as it stands officers of the Auditor-General's Department would not be eligible for transfer to other Departments, and so would be deprived of opportunities for promotion, I would make the fullest provision for such cases. If there is one branch of the Public Service for which we should endeavour to secure the very best brains it is this.

Sir JOSEPH COOK.—This is merely a Bill to correct small anomalies in connexion with the Auditor-General's Department. It is not a measure in which we should attempt to introduce the big reform that has been suggested.

Mr. McWILLIAMS.—It is a proper measure in which to provide for any matter relating to the Auditor-General's Department.

Mr. TUDOR.—If there is anything in the statement that the whole of the Clerical Division of the Public Service petitioned the Senate to omit this clause, it is not likely that we shall be able to insert a similar provision in the Public Service Bill.

Mr. McWILLIAMS.—We know how petitions originate, and the circumstances in which they are often presented. We need a much stronger reason than that for agreeing to this amendment. Under the Bill, as it left this House, the Auditor-General's Department would be a much stronger piece of machinery than it is to-day. The importance of securing the absolute independence of the Audit Department is far and above some of the objections that have been raised to this clause, and have led to the Senate striking it out. I hope the Committee will reject the amendment.

Mr. TUDOR (Yarra) [2.24].—The honorable member for Capricornia (Mr. Higgs) gave several days' notice of his intention to move the insertion of this clause when the Bill was before us; but there was not much discussion upon it. The Committee agreed to the insertion of this clause and clauses 4 and 5 after a very short debate.

Mr. McWILLIAMS.—The Committee unanimously accepted them.

Mr. TUDOR.—But they were not discussed at length. As to the suggestion made by the honorable member (Mr. McWilliams), that an officer who had been trained in the Audit Office might be transferred to another Department, I do not think that such a transfer is made unless the officer concerned applies for it. One of the most notable cases in point is that of Mr. Whitton, the present Acting Comptroller-General of Customs. Mr. Whitton, who is a very capable officer, was employed in the Audit Department, and, at his own request, was transferred from it to the Department of Trade and Customs. I fail to see how we can make the Audit office a "water-tight" Department. As a matter of fact, the Victorian Government complain that it has been necessary to increase the salaries of State public servants because the Commonwealth is taking away some of its very best men. The Auditor-General's staff should consist of trained specialists. In order that the work of the Department may be effective, the Auditor-General must have an ample staff. Where we are spending many millions of pounds annually, irregularities are sure to occur, and, therefore a careful and expert checking of accounts is necessary.

Mr. McWILLIAMS.—The Auditor-General has complained again and again that his staff is undermanned.

Mr. TUDOR.—Yes, and we should see to it that there is no longer any ground for that complaint.

Sir JOSEPH COOK.—This clause would not cure that trouble.

Mr. TUDOR.—I do not think it would. We are all agreed that the money spent on the Auditor-General's Department is true economy.

Mr. McWILLIAMS.—It is in the nature of insurance.

Mr. TUDOR.—It is. We have some big spending Departments——

Mr. McWILLIAMS.—Does not the honorable member think that the head of the Department should have some voice in the appointment of his own staff?

Mr. TUDOR.—I do; but I do not think that the Public Service Commissioner, or whoever is responsible for appointments to that staff, would select incompetent men.

Sir JOSEPH COOK.—The members of the Department are not incompetent.

Mr. TUDOR.—I do not think they are, although, of course, a 4th class clerk would not be expected to be as efficient as a man in the first grade. We have in every Department, officers who stand head and shoulders over their fellows. If the officers of the Auditor-General's Department think that the principle for which this clause provides is unwise, I shall feel inclined to adopt their view. The Treasurer (Sir Joseph Cook) has promised, however, that when we are dealing with the Public Service Bill we shall have an opportunity, if it is desired, to make an amendment on these lines. We must see to it that the Commonwealth is able to retain the good men who enter its service.

Sir JOSEPH COOK.—That is what we are not doing.

Mr. TUDOR.—That is so. The honorable member for Darling (Mr. Blakeley), in answer to questions put by him in this House, has been supplied with some interesting figures as to resignations from the Commonwealth Service. Mr. Eastwood, the Deputy Commissioner for Taxation in Victoria—who, I understand from the Treasurer, was receiving about £700 a year—left the Service because he could do better outside. No doubt the services of expert officers of the Department of Taxation and the Department of Trade and Customs are eagerly sought after by large business firms, who find them very helpful in dealing with income tax, land tax, and Customs matters. It may be impossible to retain all of them, but those who have gone into the matter will agree with me that, in view of the number of public servants who have left the Service during the past six months, some steps must be taken to induce valuable officers to remain in the Service. If the officers of the Auditor-General's Department are agreed that the clauses objected to by the Senate would not improve their position, I am prepared to vote for the Senate's amendments.

Sir JOSEPH COOK (Parramatta—Treasurer) [2.32].—The important thing to do in the Auditor-General's Department, as well as in every other Department of the Public Service, is to cut out unnecessary labour. That is one of the main objects of this Bill, and that is so urgent that, in order to bring it about, I am prepared to sacrifice the opportunity now offered to deal with the matter referred to by the honorable member for Franklin (Mr. McWilliams). At the present time the Auditor-General is responsible for every internal check in every Department of the Public Service. No matter how thorough and efficient he may know it to be, he is not authorized, under the existing Act, to accept any check made within a Department. He must carry out every check for himself. I direct the attention of honorable members to one of the clauses of this Bill, which provides that—

> If the Auditor-General is satisfied that any accounts bear evidence that the vouchers have been completely checked, examined, and certified as correct in every respect, and that they have been allowed and passed by the proper departmental officers, he may admit them as satisfactory evidence in support of the charges to which they relate.

That simple provision will enable the Auditor-General to take advantage of internal audits in every Department, and will thus do away with the necessity for the performance of a huge volume of detailed work for which the Auditor-General is now held personally responsible.

Mr. CORSER.—And which would be duplication.

Sir JOSEPH COOK.—Yes; unnecessary and costly duplication. That is a provision for economy without impairing in any way the efficiency of the audit of public accounts. I am not responsible for the deletion of these clauses to which the Senate took exception, because it was not desired in a Bill of this kind to do

something to which the officials of the Audit Department objected.

Mr. McWILLIAMS.—Did the Auditor-General object to these clauses?

Sir JOSEPH COOK.—I can assure the honorable member that the Auditor-General has no feeling on this matter at all. It was thought that fundamental proposals of this kind, of so far-reaching a character, could be better dealt with when we are dealing with the general Public Service measure. I wish the honorable member for Franklin to understand that if he agrees to the motion I have submitted, there will be merely a postponement of the consideration of the question he has raised, in order that, in the meantime, we may pass the useful and urgent provisions of this Bill. I ask him, in the circumstances, not to press his objection.

Mr. McWILLIAMS.—Shall we have a full opportunity to discuss the question I have raised in dealing with the Public Service Bill?

Sir JOSEPH COOK.—I hope so.

Mr. McWILLIAMS.—If I have the right honorable gentleman's promise to that effect I shall drop the matter now.

Sir JOSEPH COOK.—When the Public Service Bill is under consideration, it will be competent for the honorable member to prepare a whole section of clauses dealing with the question he has raised, and move for its insertion in that Bill.

Mr. BAMFORD.—Is the right honorable gentleman accepting all the amendments of the Senate?

Sir JOSEPH COOK.—I am treating them all as one. I may say that whilst it was proposed that the Auditor-General should suggest his own officers, that did not mean that he would be in a position to select his own officers. If that proposal had been agreed to, he would still be in a position only to nominate persons in the Public Service for positions as officers in his Department.

Mr. McWILLIAMS. — Or specialists from outside.

Sir JOSEPH COOK.—Or specialists from outside. He would still be able only to recommend their appointment, and that would not meet the difficulty to which the honorable member for Franklin has referred. May I suggest that this Bill will go far to meet the trouble. Instead of asking for more officers to do unnecessary work, it is proposed under this Bill to reduce the volume of work which under the existing Act must be performed by the Department, and so prevent duplication. This will immensely relieve the staff of the Auditor-General, and should lead to economy in every direction.

Question resolved in the affirmative.

Clause 4—

. . . . . .

Notwithstanding anything contained in any Act to the contrary, all appointments to the Audit Department shall be made by the Governor-General on the nomination or recommendation of the Auditor-General, provided that the Auditor-General shall nominate or recommend officers in the employ of or entitled to employment in the Public Service of the Commonwealth.

Provided further, that if at any time, in any special case, it appears expedient or desirable in the interests of the Commonwealth to appoint to the Audit Department some person who is not in the Public Service of the Commonwealth, the Auditor-General may nominate or recommend such person to the Governor-General for appointment.

Clause 5—

In all matters affecting the officers of the Audit Department not provided for under this Act, the provisions of the Commonwealth Public Service Act 1902-1918 shall apply.

Senate's amendments.—Leave out clauses 4 and 5.

Motion (by Sir JOSEPH COOK) agreed to—

That the Senate's amendments be agreed to.

Resolution reported; report adopted.

INSTITUTE OF SCIENCE AND INDUSTRY BILL.

In Committee (Consideration of Senate's amendments):

Mr. **GREENE** (Richmond—Minister for Trade and Customs) [2.38].—I move—

That the Senate's amendments be agreed to.

Certain amendments have been made by the Senate, at my suggestion, in clauses 5 and 6 of this Bill. Honorable members will recollect that these clauses were put through in this House at rather a late stage of our proceedings; the work was hurriedly done, and, as a result, we did not express exactly what we intended, and, possibly, did something that we did not intend to do at all. In clause 5 of the Bill, as we passed it, it was provided

that the Institute should "comprise" a Bureau of Agriculture, a Bureau of Industry, and such other bureaux as the Governor-General determined. The use of the word "comprise" did not convey exactly what we intended to do. We intended to provide for the establishment of bureaux. Then the use of the word "Industry" did not convey what was intended. We intended to cover the establishment of a Bureau of Industries, as distinct from Agriculture, and the word "Industry" carries rather the meaning of work or labour. In the Senate, clause 5 has been amended by the substitution of the word "establish" for the word "comprise," and the substitution of the word "Industries" for the word "Industry." In dealing with clause 6, we agreed to an amendment providing that the Governor-General might appoint Advisory Boards in each State to advise the Director. It is doubtful whether that would not preclude us from establishing a Central Advisory Board if we wished to do so. It was not our intention to prevent the establishment of a Central Advisory Board, and so clause 6 has been amended by the Senate to read—

> The Governor-General may appoint a General Advisory Council and Advisory Boards in each State to advise the Director.

I know that that is what honorable members had it in mind to provide when the Bill was under consideration here.

Question resolved in the affirmative.

Resolution reported; report adopted.

PAPUA BILL.

SECOND READING.

Mr. POYNTON (Grey—Minister for Home and Territories) [2.42].—I move—

> That this Bill be now read a second time.

This might be termed a Bill for an Act to do justice that has been long deferred. The facts with which it deals are very simple. When they were brought under my notice I felt that an injustice had been done, and submitted the matter to the Cabinet, who approved of what is proposed in this Bill. In 1896 a lease was granted of a group of small islands called the Conflict Group by the original Government of New Guinea, before the Commonwealth took over the Territory. In that lease there was provision for a right to purchase the land included in the lease at 5s. per acre. The Papua Act, passed by the Commonwealth Parliament, came into force on the 1st September, 1906. In August, 1906, Mr. Wickham applied to exercise his right of purchase. The matter appeared to be all in order, the conditions of the lease had been fulfilled, and the local Executive of Papua approved of the preparation and issue of a grant in fee-simple. The grant and deed were prepared. It was then discovered that there was a difference of opinion as to the area covered by the lease, and some little delay occurred in connexion with that. For instance the Government claim to be paid on 6,000 acres, but it was proved, after further inquiry, that the area involved was only 1,800 acres. The delay caused in investigating these facts prevented the title being granted in the terms of the lease. The Papua Act of 1905 includes this provision—

> The Lieutenant-Governor may make and execute under the public seal of the Territory, in the name and on behalf of the King, grants and dispositions of any land within the Territory which may be lawfully granted or disposed of in the name of the King, but so that—
>
> (*a*) no freehold estate in any such land shall be granted or disposed of. . . .

Owing to the delays I have mentioned, that law was passed before the title could be issued. There is only one case of this character in the whole of Papua. A Bill relating to the matter was introduced some years ago, but was crowded out at the end of the session; but Mr. Isaacs, the then Attorney-General, gave an opinion that, whilst legally there was no power to grant the title, yet on moral and equitable grounds the lessee was undoubtedly entitled to get the fee-simple in the terms of the original agreement. He suggested an amending Bill to enable that to be done. There has been a good deal of correspondence in regard to this claim, and recently the lessee instituted legal proceedings against the Commonwealth. I and the Acting Attorney-General (Mr. Groom) investigated the matter thoroughly, and we were satisfied that, on equitable grounds, the lessee had a very strong case. We agreed that it was not right that the Government should take advantage of a technicality to prevent him getting his title. This Bill was introduced accordingly, and the legal proceedings have been suspended pending

the decision of Parliament. The measure has been already agreed to by another place.

Debate (on motion by Mr. CHARLTON) adjourned.

CENSUS AND STATISTICS BILL.

SECOND READING.

Mr. POYNTON (Grey—Minister for Home and Territories) [2.50].—I move—

That this Bill be now read a second time.

The census must be taken next year, and the officials have asked for this amending Bill in order that their work may be facilitated. Most of the amendments are of a verbal character, and are designed to make the language of the Act clearer; they involve no new principle. The first amendment is merely consequential. The second aims at a more uniform collection of census information from the shipping on the Australian coast. The third amendment is for the purpose of simplifying the taking of the census in outlying portions of the State. At present, a justice of the peace is required to make affidavits in certain circumstances. The Bill proposes to simplify the procedure. Clause 4 substitutes the word "building" for "dwelling" on the ground that the word "building" will equally well express the intention, and will not be open to the objection of inconsistency. All the other amendments are simple, involving no principle, but merely altering the verbiage in the original Act, and I think they are essentially matters for discussion in Committee rather than on the second reading.

Debate (on motion by Mr. CHARLTON) adjourned.

NAVIGATION BILL.

In Committee (Consideration resumed from 9th July, *vide* page 2683):

Clause 73—

Section 231 of the principal Act is repealed, and the following section inserted in its stead:—

"231. (1) Except as prescribed, every foreign-going ship, Australian-trade ship, or ship engaged in the coasting trade—

(*a*) carrying more than twelve passengers, or

(*b*) being of 1,600 tons gross registered tonnage or upwards,

shall be provided with a wireless telegraph installation, and shall maintain a wireless telegraph service, as prescribed, and shall be provided with one or more certificated operators or watchers, as required by the regulations.

Penalty, on master or owner: Five hundred pounds."

. . . . . .

Section proposed to be repealed—

(1) *Except as prescribed, every foreign-going ship, Australian trade ship, or ship engaged in the coasting trade, carrying fifty or more persons, including passengers and crew, shall, before going to sea from any port in Australia, be equipped with an efficient apparatus for wireless communication in good working order in charge of one or more persons holding prescribed certificates of skill in the use of such apparatus.*

Motion (by Mr. RYAN) again proposed—

That the clause be postponed.

Mr. CHARLTON (Hunter) [2.58].—The clause empowers the Minister to exempt certain classes of ships if he is of opinion that the provision of a wireless telegraph apparatus is unnecessary or unreasonable. I assume that he will grant exemptions to small steamers engaged in carrying passengers on the rivers and elsewhere.

Mr. GREENE.—The exemption applies to all ships under 1,600 tons gross register.

Mr. CHARLTON.—If the provision refers only to vessels over 1,600 tons gross register, the small vessels to which I have referred will not come under this particular clause.

Mr. GREENE.—It will not apply to small boats on the rivers adjacent to Newcastle.

Mr. CHARLTON.—I am pleased to hear that, because it would be a matter of vital importance if they were involved.

Mr. TUDOR (Yarra) [3.1].—I understand that since this Bill was previously before the Committee the Minister for Trade and Customs (Mr. Greene) and the Prime Minister (Mr. Hughes) have conferred with the Seamen's Union in reference to certain clauses in an endeavour to ascertain what would be more acceptable to the seamen. I have been informed by the representatives of the Seamen's Union that the Minister has agreed to introduce certain amendments.

Mr. GREENE.—That is so.

Mr. TUDOR.—That, of course, will mean that we will have to reconsider certain clauses. I have received from the representatives of the Seamen's Union a copy of the clauses which have been accepted and those which have not been agreed to, and which they

are desirous that I should move to amend. I know that the questions which have been considered do not affect this particular clause, and perhaps, strictly speaking, I am hardly in order in referring to them at this particular stage, because we are at present dealing with the provision relating to wireless telegraphy.

Mr. GREENE.—We shall recommit the clauses which affect the amendments to which we have agreed.

Mr. TUDOR.—In connexion with the clauses which the seamen desire to have amended—one in particular, relating to penalties—will the Minister for Trade and Customs, when recommitting various clauses, give us an opportunity of recommitting those provisions which we desire to amend?

Mr. GREENE.—I hardly think it can be done in that way—I speak subject, of course, to correction from the Chair—because it would not be practicable to recommit clauses which are not in the Bill. The amendments could not be made in that way, but I presume it is open to the Leader of the Opposition to take whatever action he desires at the proper time.

Mr. TUDOR.—Will I have an opportunity of referring to section 100?

Mr. GREENE.—We are dealing with this Bill and not the principal Act. But it will be possible for the honorable gentleman at a later stage to take whatever action he considers necessary in regard to any section in the principal Act.

Mr. TUDOR.—The representatives of the Seamen's Union have taken exception to the clause relating to shipwrights, and also the provision relating to protection for the wheel-house. I understand the representatives of the Seamen's Union have discussed the wheel-house question with the Minister.

Mr. GREENE.—I have agreed to deal with the wheel-house question.

Mr. TUDOR.—Then we shall have an opportunity later?

Mr. GREENE.—The Leader of the Opposition can make the opportunity, because he can move to insert a new clause if he so desires.

Mr. TUDOR.—I cannot do that if the section has already been passed.

Mr. GREENE.—I am prepared to give this undertaking: In regard to any clause in the Bill before the Committee, and which we have passed, and in connexion with which the seamen have brought up any question which they are still pressing, or which we have agreed to amend, those clauses will be recommitted. But in regard to any other matter which is not in the Bill, and in connexion with which we have not come to an agreement with the Seamen's Union, it is open to the Leader of the Opposition to take whatever course he deems necessary.

Mr. TUDOR.—In view of the Minister's explanation, I am prepared to allow the question to remain for the present.

The clause before the Committee deals with wireless telegraphy, and during the discussion on the second reading of the Bill I stated that I was afraid that the provision was not sufficiently wide or as favorable to persons travelling by sea as that contained in the principal Act. I have since been assured by the Minister that it is.

Mr. GREENE.—That is so.

Mr. TUDOR.—When previously discussing this question, I quoted from the report of the Maritime Conference which sat after the *Titanic* disaster, and said that I was afraid that the provision was not sufficiently broad. If the clause is to apply to vessels of 1,600 tons gross register it will include practically the whole of our colliers. There may be a number of smaller vessels which do not carry twelve passengers, and on which wireless telegraphy should be installed. The Department of Trade and Customs were in possession of a trawler which was built twelve years ago, and which did not have a wireless plant. The vessel to which I refer was lost on a voyage to Macquarie Island, and it is more than likely that if she had been equipped with wireless the disaster might have been averted. Quite recently a vessel belonging to the British Imperial Oil Company discharged a consignment of oil in New Zealand, and when on her way to Australia for a cargo of coal became disabled. In consequence of a mechanical breakdown the vessel was delayed at sea until her coal supplies were depleted, and it was some time before relief was forthcoming. There are many instances which could be quoted to show the necessity of vessels which carry less than twelve passengers being equipped with a wireless plant. It is unnecessary to slavishly follow the recommendations of the Maritime Conference.

Mr. GREENE.—We have gone further.

Mr. TUDOR.—As the honorable member for Parkes (Mr. Marr) is a wireless expert, doubtless he will give the Committee the benefit of his knowledge and experience. Since we passed the original measure in 1912 considerable advance has been made in connexion with wireless telegraphy, and it should be made compulsory for small vessels, whether owned by the Government or private companies, to be fitted with wireless. Apart from the limitations regarding the number of passengers and the gross tonnage of a vessel, the route and the distance to be traversed should also be considered, because some of the routes taken, even by Inter-State vessels, are not frequently traversed. Vessels passing Wilson's Promontory are frequently in fairly close proximity, whereas those trading between Melbourne and Launceston or Burnie are usually some distance apart. It is possible for a vessel to be in Bass Straits, and although comparatively near the mainland, to be in an unfrequented "lane."

Mr. GABB.—I desire to draw attention to the state of the Committee. [*Quorum formed.*]

Mr. MARR (Parkes) [3.15].—Like the honorable member for Yarra (Mr. Tudor), I am placed at a disadvantage, owing to the fact that it is a considerable time since we dealt with this measure, and my notes are not exactly at hand. This clause may not have had given to it the consideration which it deserves and which I hope it will receive. Under the present Act, as it is proposed to amend it, much power is given to the Minister in the matter of exemptions, with which I do not altogether agree, because I fancy the result may be somewhat harsh in the case of vessels that are dodging about the coast from port to port in Queensland or New South Wales. I agree with the honorable member (Mr. Tudor) that we must differentiate between vessels which go a considerable distance, and do not come into contact with other ships, or get in touch with lighthouses.

Mr. TUDOR.—I mean lighthouses and signalling stations; all lighthouses are not signalling stations.

Mr. GREENE.—That is owing to the fact that many of the lighthouses are being made automatic.

Mr. MARR.—That is the trouble. As I say, the measure may act harshly in the case of small boats on the coast.

Mr. GREENE.—That is what the power of exemption is given for.

Mr. MARR.—It is provided that all vessels proceeding twenty miles or more should be provided with wireless, as stipulated by the Convention held after the *Titanic* disaster. Another matter to which we should give consideration is connected with the provision of wireless sets. In very few cases are these sets sold to ship-owners; they are rented at a minimum rental of £250 per annum, and, in addition to that, must be reckoned the cost of £250 per annum for an operator. These sets can be obtained practically only from the Marconi Company, and, as they are compulsory, shipowners are forced into the hands of that company. There is no doubt that this cost will be passed on to travellers, and this will operate very hardly in the case of small boats on the coast that carry passengers at cheap fares. These passengers will either have to pay a prohibitive rate or find some other means of travelling. The small boats on the coast should not be compelled to carry wireless unless one of the crew can be got to work it, and that may prove difficult. The exemption clause is rather vague, and I regret very much that I have not the report of the Convention with me in order to refer more fully to this matter. However, there are occasions when it is necessary to give a decision promptly, and, therefore, the clause may be necessary in order to clothe the Minister with the necessary authority. Paragraphs 4 and 5 are a duplication of the provisions in the Wireless Telegraphy Act. No ship ought to be permitted to proceed to sea unless in possession of a certificate; but, as the Bill stands, inspectors may be appointed by the Director, or they may not. The Wireless Telegraphy Act makes provision for the appointment of inspectors, and for every officer in charge of a land station to be made an inspector under the Act. As the matter stands, if the wireless authorities say that it is necessary for a ship to do a certain thing, they cannot compel the Navigation Department to act, and there should be some Department with authority to see that orders are enforced.

Mr. TUDOR.—Are we using standard wireless here?

Mr. MARR.—Do you mean, are we using the Marconi system?

Mr. Tudor.—Are we using the system general throughout the world?

Mr. MARR.—At one time, the Marconi and the Telefunken people had a monopoly, but recently American vessels have used the continuous-wave telegraphy, and no other ship can take their messages.

Mr. Tudor.—What has happened to the Balsillie system?

Mr. MARR.—That is owned by the Commonwealth, and is a conglomeration of all kinds of systems. The Commonwealth stations are simply receiving stations, such as might be set up in this House, for instance, with a very limited radius. The Wireless Telegraphy Act and the Navigation Act require co-ordinating, so as to give the control of the telegraphy into the hands of one Department. At the present moment, the Navigation Department can snap its fingers at the wireless telegraphy authorities. When an inspector goes on board a ship in port, he finds there is no steam up, so that it is impossible to test the wireless set; and, moreover, he finds that the captain, as is usual, has gone ashore with his papers. A vessel may not clear a port until the papers are cleared, and a wireless certificate should be attached for every trip.

Mr. Tudor.—Then you think it is as necessary to inspect the wireless set as it is to have fire and boat drill?

Mr. MARR.—I do. Paragraph 4 of the clause provides for a surveyor, "or other person authorized by the Minister," to inspect installations; but the Minister may not authorize a surveyor.

Mr. Greene.—The Minister would not authorize an incompetent person.

Mr. MARR.—That, of course, is the common-sense view. Many of the suggestions I am making can be covered by regulation, and I hope that they will. There is nothing in the Act stipulating what kind of set shall be provided, how many spares shall be carried, where the wireless shall be situated, or what provision shall be made to safeguard the operators. These are matters that clearly ought to be provided for. On some of the big ocean liners, not once, but half-a-dozen times, I have seen the aerials so situated that they could not be worked efficiently. I have even seen them tied to life-boats in order to keep them from fouling the funnels; so that in time of danger, when the boats are cut loose, the wireless is rendered useless. Every ship, I say, should carry a specified number of spares.

Mr. Greene.—That can be done by regulation; and I am very glad of the suggestions of the honorable member.

Mr. MARR.—Then, again, volt meters are required to register the pressure of electricity, and they should be on the engine side of the switchboard, for the convenience of the inspector. Perhaps the most important times on a vessel are represented by the two hours after leaving port and the two hours prior to entering port; and at present there is nothing to compel the operator to be on the watch during those periods. At such a time, when approaching port, the vessel is reporting when it will be entering the Heads, and may be expected at the wharf; and in this regard at Sydney, wireless has meant quite as much to the Waterside Workers Federation as to the ship-owners. Without wireless, the workers have to go to the various post-offices, consult the charts, and make their own calculation as to the time of arrival, only to be told, on arriving at the wharf, that the vessel is only reported at the Heads. Wireless is also of advantage to the owners, inasmuch as it gives them the right to send the noon position and the midnight position for 6d. in any part of the world. The Arbitration Court comes into conflict with the working of vessels in regard to the hours during which men may be on watch. It is not possible for the Arbitration Court to lay down a hard-and-fast rule that a man shall be on watch during certain hours, as the ship may be in a position in which wireless will be of no use to it. In my opinion, the Arbitration Court ought not to interfere in that direction as much as it has done.

Mr. Riley.—But the Minister has agreed to embody new suggestions in the regulations which will be framed under the Bill.

Mr. Greene. — And the honorable member for Parkes (Mr. Marr) is merely making certain suggestions in order that I may have them before me.

Mr. MARR.—There is another matter to which I desire to refer, namely, the emergency wireless set. As most honorable members are aware, it often happens

that, at the very moment when the wireless set upon a ship is most needed, the engine-room is flooded, so that the wireless operator on board is compelled to fall back upon the emergency set. This set is usually located upon the highest point of the vessel. It consists merely of a coil and batteries, and has no range worth mentioning. I suggest, therefore, that there should be an emergency means of driving the proper wireless set.

Mr. RILEY.—How can that be accomplished?

Mr. MARR. — By means of an auxiliary method of driving the main rotary. I suggest that a small oil-engine should be installed in the wireless room, so that it can be thrown into gear for the purpose of working the main wireless set, in the event of that set which is usually driven from the engine-room becoming suddenly isolated from it.

Mr. GREENE.—That would make the wireless installation very expensive.

Mr. MARR.—Yes; but if it is going to save life at sea the expense is justifiable.

Mr. LAIRD SMITH.—Cannot secondary batteries be used?

Mr. MARR.—Secondary batteries are very unsatisfactory in operation, and usually require a lot of attention. I suggest the incorporation in the regulations of a provision that the licence shall specify the apparatus in detail, and enumerate the list of spares which are to be carried, including a spare aerial and jury aerial. The wireless cabin is another thing which closely affects the ship's safety and the safety of the operator who is confined within its walls. Usually it has only one means of ingress and egress. Almost invariably when the ship is in danger the door of the cabin cannot be opened, so that it is impossible for the operator to get out. I consider that the wireless cabin should be placed as near to the navigating bridge as possible, and that it should be fitted with two doors, one upon either side, so that, no matter from what quarter danger may threaten, the operator will always have a means of escape. There should also be direct means of communication between the wireless cabin and the navigating bridge, either by telephone or by a speaking tube. I further suggest that where power is not available when ships are due for inspection, it should be made available. No doubt we should hit the smaller ships pretty hard if we compelled them to pay operators high salaries and to carry two operators. But this difficulty might be overcome in the way that it has been overcome upon the Commonwealth line of steamers, namely, by training men to act as pursers and also as wireless operators. Of course, that would be in addition to the ordinary wireless operator.

Mr. MAXWELL.—Is it difficult to acquire the art of working wireless?

Mr. MARR.—It takes time. A young man can learn to operate in six months if he is smart. Anybody can work a wireless set while everything goes right, but it takes years of training to enable a man to locate and rectify faults when things go wrong. If, however, we provide that vessels shall carry a good wireless operator, the purser might be trained to assist him, and in that way he would gain valuable experience. Personally, I would rather see a man trained as an operator first and as a purser afterwards. The Leader of the Opposition (Mr. Tudor), in discussing this measure on the 9th July last, suggested that any vessel carrying twelve men, including passengers and crew, should be fitted with a wireless installation. I agree with him that if a ship is about to voyage to the South Pole she should be fitted with wireless, but if she is merely engaged in trading along the coast of New South Wales to the northern rivers of that State, I am of opinion that the installation of wireless would not be necessary. I would rather see these small vessels exempt from such a provision than hit hard the people who travel upon them by causing a considerable increase in the fares at present being charged, and thus forcing them to forgo the trips along our coast which they are now enjoying.

Motion withdrawn.

Clause agreed to.

Clause 74 agreed to.

Clause 75 (Boat, collision and fire drills).

Mr. TUDOR (Yarra) [3.44].—Since the outbreak of war, and owing to the submarine campaign, fire drills have been made much more effective upon vessels than they were previously. Formerly they were practically a farce. I know that upon the vessel by which I voyaged to America and England there was never

a fire drill carried out. Before the war the boats were practically fastened to the boat-chocks, so that if an attempt had been made to swing them out from the davits, they would surely have fallen to pieces. I trust that in the future the Navigation Department will see that all boats are swung out from the davits at least once a month. A home port should be provided for each vessel, and it should be the business of the inspector there to see that this procedure is followed.

Clause agreed to.

Clauses 76 to 79 agreed to.

Clause 80—

Section 246 of the principal Act is repealed.

Mr. TUDOR.—I should like to know the nature of the section which we are asked to repeal.

Mr. GREENE (Richmond—Minister for Trade and Customs) [3.45].—Clauses 76 to 80 deal with the one subject, namely, that of gear. The reason for the repeal of certain sections of the principal Act is that, for purposes of convenience, all those portions dealing with the subject-matter of gear and the like have been re-arranged in the amending Bill; and that has entailed various deletions and alterations. Our navigation legislation will now be more satisfactorily compiled and consolidated. Originally, section 246 made it indictable to use gear of a character considered to be unsafe and a source of danger to life and limb. That reference has now been transferred under sub-section 3 of section 236, which is typical of the re-arrangements to which I have referred.

Mr. McWILLIAMS (Franklin) [3.46].—I desire to call attention to a matter regarding provision for unloading. Something ought to be done to facilitate the unloading of vessels. Visiting Newcastle the other day, I was informed that certain modern provision had been made, by the use of a shoe, for the protection of wharf labourers when engaged in unloading steel rails. The rails were fitted into the shoe, and about six at a time were lifted. However, objection was taken to this method of unloading. The men would not use it. Probably they regarded it as doing the work too quickly. Therefore, the use of the shoe had to be abandoned. The method of unloading now is to lift one rail or two rails at a time, in the most dangerous manner imaginable; that is, by the antiquated fashion of employing slings. What is the good of making provision, by the institution of modern methods, for the protection of life and limb if the men engaged refuse to handle such gear and prefer to return to the more dangerous and the antiquated way, simply because work under the modern method is being done too quickly?

Mr. GABB.—What cause has the honorable member for saying that that is the reason why the use of the shoe was abandoned?

Mr. McWILLIAMS.—I was on the spot and secured my information first-hand. The process of discharging coal is about as slow and antiquated as can well be imagined. One of the reasons why there is such a scarcity of coal in Melbourne to-day is that, owing to some dispute in which the State Government and the Federal Government, and the Harbor Trust and the ship-owners have been involved, an out-of-date system of unloading exists. The result is that vessels, which should be discharged in twenty-four to thirty hours, are not discharged in less than five or six days. That, very largely, accounts for the shortage in coal in Victoria to-day. I emphasize that, while insisting upon the use of proper gear, our legislation should also see to it that, when modern methods are installed, they shall be operated.

Clause agreed to.

Progress reported.

INDUSTRIAL PEACE BILL.

Bill returned from the Senate with amendments.

ADJOURNMENT.

WAR PRECAUTIONS ACT.

Motion (by Sir JOSEPH COOK) proposed—

That the House do now adjourn.

Mr. McWILLIAMS (Franklin) [3.54].—I desire to know when it will be possible for the Government to afford this House an opportunity of considering the advisability of repealing the War Precautions Act.

Sir JOSEPH COOK.—I cannot answer that question offhand. I understand that the Act and its regulations are gradually petering out of themselves. Why not let them die a natural death?

Question resolved in the affirmative.

House adjourned at 3.55 p.m.

House of Representatives.

Tuesday, 7 September, 1920.

Mr. SPEAKER (**Hon. Sir Elliot Johnson**) took the chair at 3 p.m., and read prayers.

SECOND PEACE LOAN.

Mr. RICHARD FOSTER.—Has the Treasurer any statement to make in regard to the subscriptions received for the Second Peace Loan and as to whether it is intended to extend the period within which applications will be received?

Sir JOSEPH COOK.—I regret to say that owing to telegraphic delays we have not yet received communications to-day from three or four of the States. So far as I am able to judge at present, however, there appears to be in sight anything from £20,000,000 to £22,000,000.

HONORABLE MEMBERS.—Hear, hear!

Sir JOSEPH COOK.—That is a very satisfactory state of affairs, taking into consideration the drought conditions which obtain in two of the States. I am hopeful that in a few days we shall be able to announce that the whole amount has been contributed. I would like, however, to say that there must be quite a number of pastoralists and others who have not yet subscribed to this loan, and since part of the wool money has already been made available—that is to say, I believe that it is in the hands of the banks and other financial agencies—I hope they will do so. Although the formal date for the closing of applications has expired, I trust that they will believe that we shall not refuse any money that they are good enough to send along. I do not propose to say to-day whether we shall extend the date of the closing of the loan. I shall say more on that subject to-morrow; but I make an urgent appeal to all those who are receiving the windfall—for such it is—in the shape of this wool money to send us a good contribution out of it. We need it. There is every reason for congratulation that the people of this country have not yet allowed their sense of what we owe to our soldiers to become dimmed, and that they have again stood nobly to their duty. I sincerely hope that I may be permitted in the course of a day or two to announce that the whole of the loan has been fully subscribed.

Mr. JOWETT.—With reference to subscriptions to the Second Peace Loan, I desire to address a question to the Treasurer, who will perhaps be able to appreciate more fully the points at issue if I read the following telegram which I have received from the president of the Graziers Association of Queensland:—

> While graziers anxious support Peace Loan, hesitating contribute because uncertain as to their financial obligations under war profits tax. Think it would be advisable to urge the Prime Minister to make public announcement on this point especially as regards money to be received from profits under Imperial war contract. Also think it would be wise to extend time to at least the end of the month.

Can the Treasurer give the House any information on these points?

Sir JOSEPH COOK.—Whatever money is received by way of bonuses on the sales of wool will be in the same category, and carry the same obligations, as any other profits received by the pastoralists. I should think that the pastoralists would not seriously make the proposition that this windfall should escape the taxation which they have cheerfully paid in respect of amounts already received. As to the time when the second half of the wool dividend will be paid, I think the matter has already been stated clearly enough for all purposes. I do not know that the Prime Minister (Mr. Hughes) could make a more definite announcement. It seems to me to be fairly definite that the money will be forthcoming during the course of the next month. Now that these bountiful rains have come, the graziers of Australia might well "bank" a little on the future in this and other respects.

REPATRIATION.

PENSIONS OF SOLDIERS SUFFERING FROM DOUBLE AMPUTATIONS.

Mr. TUDOR.—I desire to ask the Assistant Minister for Defence a question in relation to the pensions of soldiers who have suffered double amputations. The matter was brought under his notice by a deputation which I had the honour recently to introduce to him. Most, if not all of these men, are suffering considerably at the present time, and are anxious

to ascertain what is the intention of the Department in regard to them.

Sir GRANVILLE RYRIE.—This is a matter relating really to the Repatriation Department, but since the deputation to which the honorable member refers waited on me I have obtained for him the following information:—

Double Arm Amputations.—As far as the records of this branch show, there is only one such case in this State (Victoria). A special pension of £8 per fortnight is being paid, as it is considered that it would be impossible to train this man in any trade.

Double Leg Amputations below the Knee.—This class is not considered to be totally and permanently incapacitated. A full pension of £4 4s. per fortnight is paid, and, if considered medically fit for it, vocational training is provided.

Double Leg Amputations above the Knee.—At present this class receives £4 4s. per fortnight (full pension). The Commission is now considering what form of repatriation would best suit these men.

OIL BOUNTY.

Mr. HUGHES.—I desire to make a correction, and also to state the intention of the Government in regard to the payment of a bounty for the discovery of oil. I find that a statement on the subject which appears in *Hansard*, of 14th May last, page 2141, is ambiguous. Honorable members will recollect that the Government originally intended to pay a reward of £10,000 for the discovery of commercial oil on the mainland of Australia. The statement in *Hansard* is, however, that "We shall increase the reward offered to those who find oil in payable quantities, either on the mainland, or in New Guinea, or German New Guinea." That is not so. What we propose to do is to increase to £50,000 the reward to those persons who find oil on the mainland of Australia, where our original offer holds good. I wish to make that quite clear, because the Company is being paid for its work in Papua. The offer to pay a reward does not apply where the Company is working.

POWERS OF THE COMMONWEALTH.

DECISION OF HIGH COURT.

Mr. MAKIN.—In view of the statement by the Premier of South Australia to the effect that, if necessary, the Government of that State would contest, before the Privy Council, the recent decision of the High Court in respect of the powers of the Commonwealth, I ask the Prime Minister whether the Government intend to defend the decision of the High Court if an appeal is made to the Privy Council against it by any State Government?

Mr. HUGHES.—It is not the practice to answer hypothetical questions, or to announce the policy of the Government in regard to hypothetical positions. I may point out, however, that as this is a question affecting the interpretation of the Constitution, an appeal to the Privy Council will lie only by leave of the High Court. If an application for leave to appeal is made, and is granted, the Commonwealth Government will, of course, consider their position. Speaking broadly, the Government will most jealously guard and protect all the powers of the Commonwealth, and will always endeavour to uphold the most liberal interpretation of the Constitution in regard to those powers.

PURCHASE OF SAW-MILLS IN QUEENSLAND.

Mr. GREGORY.—I ask the Treasurer whether there is any truth in the statement published in the press to the effect that the Government have purchased timber mills in Queensland to the value, approximately, of £500,000. If so, will the right honorable gentleman inform the House whether honorable members will have an opportunity to ratify the contract before the Commonwealth is committed to it. If the Government are committed to the purchase mentioned, will the Treasurer be good enough to state under what authority the expenditure has been incurred?

Sir JOSEPH COOK.—Speaking offhand, I should say that if the contract has been definitely concluded, it must have been by the War Service Homes Commissioner, who has been given, by this Parliament, a perfectly independent position in regard to all such transactions.

Mr. McWILLIAMS.—What, to commit the Commonwealth to an expenditure of £500,000?

Sir JOSEPH COOK.—I hope to be able to put a statement on this matter on the table of the House to-morrow for the information of honorable members.

Mr. GREGORY.—I ask the Minister representing the Minister for Repatriation whether he will lay on the table of

the House the file of papers relating to the proposed purchase of timber mills in Queensland?

Mr. POYNTON.—The Treasurer has already undertaken to do that to-morrow.

Sir JOSEPH COOK.—I have promised to do so to-morrow.

PAPERS.

The following papers were presented:—

North-Western Australia—Maps (two) in connexion with the following paper laid on the table on the 31st August last:—"North-Western Australia—Report by Mr. George A. Hobler, Engineer of Way and Works, Commonwealth Railways, of tour of inspection of."

Ordered to be printed with the report.

Public Service Act—Regulations Amended—Statutory Rules 1920, Nos. 142, 143.

War Service Homes Act—Land acquired under, at—

Abermain, New South Wales.
Goulburn, New South Wales.
Tempe, New South Wales.
Weston, New South Wales.

POSTMASTER-GENERAL'S DEPARTMENT.

NON-DELIVERY OF BOOKS.

Dr. MALONEY.—A case has been brought under my notice of the non-delivery of a book, on which postage to the value of 1s. 9d. was paid, to an address within a mile of the Post Office. I wish to suggest to the Postmaster-General that if his Department will not undertake the delivery of books upon which such a high rate of postage is paid, the sender should be made aware of the decision of the Department.

Mr. WISE.—I shall have the matter inquired into.

COMMONWEALTH CONSTITUTION CONVENTION.

Mr. MAKIN.—I ask the Prime Minister whether he has any statement to make to the House in reference to the forthcoming Federal Convention in respect of (*a*) basis of representation for the several States; (*b*) under what system representatives are to be elected or selected; and (*c*) at what date approximately such election or selection is to be made?

Mr. HUGHES.—The answer is "No."

WAR GRATUITY BONDS.

CASHING BY BUSINESS FIRMS.

Mr. BRENNAN.—With reference to a reply which the Treasurer was good enough to give me a day or two ago concerning the cashing of war gratuity bonds by business firms, to the effect that an investigation would be made of any alleged victimization of soldiers by these firms, and in view of what appears to me to be very widespread victimization of returned soldiers in this regard, I ask the right honorable gentleman whether he will entertain a proposal for the examination of all these transactions, for the purpose of seeing that full value is given for all money expended by returned soldiers in these cases?

Sir JOSEPH COOK.—I believe that an examination is made in connexion with all such cases. That is the intention, in order that we should be satisfied that each proposal of the kind shall be fair to the returned soldier. The understanding is, fundamentally, that the returned soldier shall not pay more than the market price for anything he purchases with his war gratuity bond. If the honorable member can furnish me with instances in which this has not been carried out, I shall be glad to have them investigated. The sooner the intention of the Government in this regard is given effect to, the better.

REPATRIATION.

LAND SETTLEMENT IN NEW SOUTH WALES.

Mr. MAHONY asked the Treasurer, *upon notice*—

1. Is it a fact that at the recent Premiers' Conference it was agreed that the Federal Government would find the sum of £3,000,000, approximately, for the purpose of enabling the New South Wales Government to assist in settling returned soldiers on the land in that State?

2. Is it a fact that at the present time, on account of the failure of the Federal Government to provide this money, some 1,400 returned soldiers are unable to get on to their blocks?

3. If so, when is it intended to make the money available?

Mr. POYNTON.—The answers to the honorable member's questions are as follow:—

1. The Commonwealth Government agreed, at the recent Premiers' Conference, to advance an additional sum of approximately £3,500,000 over and above that which it previously agreed

to advance in respect of the settlement of New South Wales quota of 8,405 men, making a total advance of £12,254,191. It further agreed to advance up to £1,000 for every additional soldier settled.

2. No.

3. The New South Wales Government holds a general advance of £1,000,000 for land settlement purposes, and prompt reimbursements are made for all moneys expended in accordance with the agreement. No claims for reimbursement are outstanding.

WOOL SALES.

Mr. STEWART (for Mr. HILL) asked the Prime Minister, *upon notice*—

Whether he will make a further statement showing—

1. The quantities of wool re-sold by the Imperial authorities for each of the seasons up to the 31st March, 1919, together with the profits made from each season's sales up to that period?

2. What quantity of wool has been re-sold since that date by the Imperial authorities; what is the realization, and what are the profits thereon?

Mr. HUGHES.—The answers to the honorable member's questions are as follow:—

1. The information is not available. The British authorities have not adopted the practice of treating each season as a separate business. The wool has been dealt with indiscriminately as it came to hand without the slightest reward to the clip to which it belonged. In all essential respects the four years' operations have been continuous, and must be regarded as one and indivisible. On the grounds of equity as between the various growers there is no objection to this practice.

2. Information in this connexion is not available. As stated in the Central Wood Committee's annual report, a copy of which I recently laid on the table of the House, owing to the magnitude and complexity of the British wool accounts, it is impossible to keep them up to date, hence the balance-sheets are twelve months behindhand. The latest balance-sheet to hand is for the period ended 31st March, 1919.

PEACE TREATIES.

Mr. GABB asked the Prime Minister, *upon notice*—

1. Whether the Peace Treaty has been signed between the British Empire and Germany, Austria-Hungary, Bulgaria, and Turkey?

2. Whether the Peace Treaty has been ratified between the British Empire and Germany, Austria-Hungary, Bulgaria, and Turkey?

3. If not with all, with which nations has it been ratified?

Mr. HUGHES.—The answers to the honorable member's questions are as follow:—

1. Peace treaties have been signed with Germany, Austria, Bulgaria, Hungary, and Turkey.

2 and 3. The Peace Treaties with Germany, Austria, and Bulgaria have been ratified. Those with Hungary and Turkey have not yet been ratified.

PARLIAMENTARY ALLOWANCES ACT.

Mr. WEST (for Mr. BLAKELEY) asked the Treasurer, *upon notice*—

Whether he will cause a return to be prepared showing the amounts forfeited under the Parliamentary Allowances Act, and the names of honorable members of the House of Representatives and the Senate forfeiting such amounts?

Sir JOSEPH COOK.—The Treasury is not in possession of this information.

WAR PRECAUTIONS ACT.

Mr. GABB asked the Prime Minister, *upon notice*—

1. Whether the proclamation issued by the Deputy of the Governor-General on the 25th August last is essential to the prevention of the operation of the War Precautions Act?

2. What is the exact date on which the War Precautions Act ceases to operate?

Mr. HUGHES.—The answers to the honorable member's questions are as follow:—

1. It is a step towards the state of facts by which the date of the termination of the Act will be fixed—namely, the proclamation of Peace with Germany, Austria, and Hungary.

2. Three months after the date upon which a proclamation of Peace with Hungary is issued.

WOOL AND ALLIED INDUSTRIES.

Mr. LISTER asked the Prime Minister, *upon notice*—

1. Whether any arrangements have yet been made to call together representatives of the wool and allied industries, as promised to a deputation which waited on the Prime Minister on Friday, the 27th August last?

2. If so, on what date, and who are to represent the various interests?

Mr. HUGHES.—The answers to the honorable member's questions are as follow:—

1. Yes.

2. I have called a conference for to-morrow afternoon, to which employers of the following industries have been invited to send delegates:—Wool-growers, tanners, fellmongers, wool-scourers, carcass butchers, wool-top manufacturers, woolbrokers, sheepskin exporters. Invitations have also been issued to representatives of the following employees:—Textile workers, wool and basil workers, tanners and leather dressers. In addition the chairman of the Central Wool Committee will be present at the conference. The names of the delegates who will attend the conference are not yet available.

PUBLIC SERVICE EXAMINATION.

Mr. HUGHES.—Some time ago the honorable member for West Sydney (Mr. Ryan) asked me the following question:—

1. Is it the intention of the Government to hold an examination this year to enable General Division officers to qualify for the Clerical Division?
2. If not, why?

I am now in a position to furnish the honorable member with the following reply:—

1 and 2. It is understood the honorable member desires information as to whether General Division officers in New South Wales will have an opportunity of qualifying for transfer as clerk. There are twenty qualified General Division officers in that State awaiting transfer as clerk, and in addition 133 returned soldiers, of whom eighty are officers of the General Division, have passed a recent examination. In the circumstances a further examination will not be required this year.

BUTTER AGREEMENT BILL.

Assent reported.

ARBITRATION (PUBLIC SERVICE) BILL.

Message from His Excellency the Deputy of the Governor-General, recommending an appropriation for the purposes of an amendment providing for the salary of the Arbitrator in this Bill, reported.

Second Reading.

Debate resumed from 3rd September (*vide* page 4201), on motion by Mr. Hughes—

That this Bill be now read a second time.

Mr. TUDOR (Yarra) [3.25].—Honorable members who were in the first Commonwealth Parliament will remember that when the original Public Service Bill was before the House a very long discussion took place in regard to the method of fixing the remuneration of public servants, and the present Minister for Works and Railways (Mr. Groom) and I were active in securing the insertion of a minimum wage clause. Later we took a further step forward, and the Government, of which the Prime Minister and I were members, decided that public servants should have the same right as every other individual in the community to have their claims heard by the Arbitration Court. This Bill proposes to take from them that right, and to place them in a separate paddock. The Prime Minister proposes to do to the Commonwealth Public Service precisely what Sir William Irvine did when he, as Premier of Victoria, disfranchised State public servants as ordinary electors, and gave them separate representation in the Legislature. This is an attempt to separate the sheep from the goats, and there is no justification for it. Public servants have the same rights as have other sections of the community, but simply because they are not in the employ of private individuals or State Governments, they are to be set apart from all other employees. It is true that the Bill proposes to establish an Arbitrator for the Public Service, but he will not have the same status as a Judge of the Arbitration Court. I know that a large number of cases are pending before the Arbitration Court at the present time, and this proposal to constitute a separate Tribunal may relieve the work of the Court, but I understand that the public servants are practically unanimous in preferring to remain under the Arbitration Court rather than to pass under the jurisdiction of a separate Arbitrator. I think their objection is sound and logical. The report which Mr. McLachlan prepared for the Government and Parliament shows that in 1903 the Commonwealth Public Service comprised 11,374 officers, and the total salary bill was £1,521,000. On the 30th June, 1918, the number of employees had increased to 23,424, and the salary bill to £3,943,000. The explanation is that the number of Departments has increased. There was no Works and Railways Department in 1903.

Mr. Groom.—But the Works and Railways branch was in the Home and Territories Department.

Mr. TUDOR.—That Department, too, has increased. In 1903 the Department of the Treasury employed thirty-four officers; to-day the total is 1,127. Why has this increase taken place? Simply because the biggest employing branches of the Treasury are those dealing with taxation. Does any honorable member suggest that they should be wiped out? The employees in the Trade and Customs Department have also increased simply because Quarantine and other sub-Departments have been added to it. But the biggest increase has undoubtedly taken place in the Postal Department, which in 1903 contained 10,022 employees, where-

as to-day it numbers 19,500, or nearly double that number. Will anybody affirm that we ought to curtail the activities of the Postmaster-General's Department? I know that some persons hold that public servants are chiefly distinguished by the anxiety they exhibit for the arrival of the luncheon-hour or the knock-off hour.

Mr. WEST.—And of their pay-day.

Mr. TUDOR.—Precisely. So far as my experience of public servants is concerned, such an idea is an entirely erroneous one. I have had the privilege of visiting every Customs House in the Commonwealth from the north of Cairns to Fremantle, and my experience is that the men who are in the employ of the Government are at least the equal, if not the superior, of those who are engaged in private employ. It may be suggested that a member of Parliament is afraid to express views which are antagonistic to public servants, because of the well-organized Public Service vote. But if there be any Parliament in Australia which is free from Public Service influence, it certainly is the Commonwealth Parliament. No member of the National Legislature need fear to express his views of our public servants with the utmost freedom.

At the present time no less than four measures dealing with the Commonwealth Public Service are awaiting our consideration. There is the Bill which we are now discussing, the Public Service (Board of Management) Bill, a measure relating to a superannuation scheme, and another dealing with the question of dual furlough. In considering all these measures we ought to be animated solely by a desire to mete out even-handed justice. We have to ask ourselves whether it is wise to transfer our Commonwealth public servants from the Arbitration Court to another Tribunal upon which a special arbitrator is to adjudicate.

Mr. MAXWELL. — That is the whole question.

Mr. TUDOR.—I have never been able to see any valid reason why different treatment should be meted out to our public servants from that which is meted out to any private individuals. In this connexion I may be asked what attitude I shall adopt when the Bill dealing with superannuation comes before us. My reply is that I am prepared to give every private individual the right to contribute to an insurance fund the same proportion of his salary as I am willing to allow a public servant to pay into a superannuation fund.

Mr. FOWLER.—Does the honorable member favour a scheme of national insurance?

Mr. TUDOR.—I am not permitted to discuss that matter upon this Bill. I have merely foreshadowed the attitude which I shall adopt towards the measure dealing with Public Service superannuation. I have not read the whole of the debate upon this Bill in another branch of the Legislature, but evidently the Government are anxious to remove Commonwealth public servants from the jurisdiction of the Arbitration Court and to give them an arbitrator of their own.

Mr. MAXWELL.—Is it not the real object of the Bill to relieve the congestion which exists in the Arbitration Court?

Mr. TUDOR.—If the appointment of an arbitrator will relieve that congestion, obviously the appointment of an additional Judge would have precisely the same effect.

Mr. RILEY.—And the adoption of that course would obviate the necessity for creating another Department.

Mr. TUDOR.—Of course. Under this Bill another Department will be created —there need be no doubt about that. The scheme embodied in it will be like a snowball—the farther it goes the bigger it will grow. Those who follow closely the proceedings before the Arbitration Court must have noticed the reference which was yesterday made there to the case of the Builders' Labourers. That body is one of the most militant organizations in Australia, and its secretary, Mr. Percy Smith, stated only yesterday that they had been waiting since 1915 to secure an alteration of the award.

Mr. BURCHELL.—Was not the award given in 1916?

Mr. TUDOR.—It may have been. When men have to wait so long before they can get access to the Court they are likely to become fractious, and to kick over the traces in their desire to obtain a speedier method of settling their grievance. We all know that the Judges of the Arbitration Court are at present working at high pressure in an attempt to

dispose of the accumulation of business. Quite recently Mr. Justice Starke, who is dealing exclusively with Public Service cases, sat at night in an endeavour to dispose finally of some of the cases claiming his attention. Only the other day, when I was returning from the Ballarat election, I was a passenger in the same train as His Honour, who had been to Port Augusta and Western Australia in connexion with the railway servants' case.

I would like to know why the public servants of the Commonwealth should be treated differently from persons who are in private employ. I know that Mr. McLachlan, who is a very estimable gentleman, and who was a good officer of the Commonwealth, was always opposed to our public servants being allowed access to the Arbitration Court. But because we esteem that gentleman we are not bound to agree with his views. It is quite possible that, to some extent, the difficulties which have arisen in connexion with our Public Service may be due to the number of important offices which are being filled by acting heads. For example, more than four years have elapsed since we had a Public Service Commissioner. Mr. Edwards has been acting in that capacity during the whole of that period, and many other positions which have been vacant for a considerable time have not yet been permanently filled. I remember once working for an employer who was generally regarded as a model man. Everybody whom I met outside described him as a "fine boss," and I was frequently assured by people that they had never met his equal. My reply was, "Did you ever work for him?" That makes all the difference. In much the same way Mr. McLachlan, as Public Service Commissioner, might have been a very different man to a member of Parliament from what he was to the public servants who had to work under him.

Mr. McWILLIAMS.—Mr. McLachlan was not a bad friend to the Service.

Mr. TUDOR.—I am not saying he was, but I should like to read the following from his summary of findings and recommendations, as set forth in his report:—

> The operations of the Arbitration (Public Service) Act have greatly increased the work and responsibilities of the Public Service Commissioner and Inspectors, and rendered departmental working more difficult and complex.

He then refers the reader to a page of his report, on which is to be found the reasons for this conclusion. He proceeds—

> The Arbitration Court has found the greatest difficulty in following the intricacies of Public Service organization, with the result that awards have been productive of many anomalies and inconsistencies.
>
> While a proportion of the expenditure under arbitration awards would have been provided for by the Commissioner in the absence of any system of arbitration, many of the provisions of the awards, both as to salaries and extraneous payments, have been upon an extravagant scale, and unjustifiable.

If that is a reflection on anybody, it is not a reflection on the public servants, but on whichever Judge made the award—it is either a reflection on the Judge or on the Department which took the case to Court, and defended it——

Mr. BURCHELL.—Does Mr. McLachlan not say in an earlier part of his report that it was difficult for the Judge to follow the various ramifications of the Service?

Mr. TUDOR.—Mr. McLachlan says that the Arbitration Court "has found the greatest difficulty in following the intricacies of Public Service organization, with the result that awards have been productive of many anomalies and inconsistencies." I suppose that public servants, being human, do not fail to point out any "anomalies and inconsistencies" that they find, just as members of Parliament would under similar circumstances. If a Judge had to fix the parliamentary salary instead of our fixing it for ourselves, and he made the amount in New South Wales different from that in Victoria, and so forth, I think we should take precisely the same attitude as that taken up by the public servants.

Mr. BURCHELL.—I am not objecting to the public servants pointing out anomalies.

Mr. TUDOR.—Neither am I.

Mr. FOWLER.—At any rate, the Arbitrator will find the difficulties just as great as has the Judge.

Mr. TUDOR.—The honorable member is merely anticipating me. The Arbitrator will be in exactly the same position as is a Judge of the Court. I am not quite sure which Judge has made the awards in connexion with the Public Service.

Mr. RILEY.—Mr. Justice Starke.

Mr. TUDOR.—Did not Mr. Justice Isaacs hear some of the cases?

Mr. GROOM.—He heard the journalists' case. The Public Service cases have been taken of late mainly by Mr. Justice Powers.

Mr. TUDOR.—And now they are taken by Mr. Justice Starke?

Mr. GROOM.—The President has also taken some.

Mr. TUDOR.—In any case, I fail to see how any man we might choose in Australia as Arbitrator will be in any better position than these Judges are. Of course, as is usual when a position is likely to become vacant, names have been mentioned in connexion with it.

Mr. WEST.—I heard that the position was to be given to a rejected member of Parliament.

Mr. TUDOR.—Neither of the names I have heard mentioned are those of rejected members.

Mr. MCWILLIAMS.—The name I have heard is that of a member of Parliament.

Mr. TUDOR.—Of the names I have heard, one is that of a present official very high up in the Public Service, and the other that of an ex-public servant, who was also very high up.

Mr. GROOM.—As a matter of fact, there is no foundation for any of those suggestions.

Mr. TUDOR.—Either of the gentlemen whose names I have heard mentioned might fill the position very efficiently, but I do not think either would be a whit better off than is a Judge.

Mr. MAXWELL.—Excepting that he would give his whole time and attention to, and become an expert in, the particular work.

Mr. TUDOR.—The same might be said of Mr. Justice Starke, or any other Judge who has been engaged on the work. The members of the Public Service are unanimous on this point, and I cannot see how the proposals of the Government will relieve the congestion. However, Mr. McLachlan, in his summary of findings and recommendations, goes on to say—

> Recognition of Public Service Associations, without a defined method of regulating their scope and activities, has resulted in reduced efficiency and a slackening of discipline in Departments; these conditions have been accentuated by controlling officers joining the same unions as their subordinates.

Of course, I do not know what happens in the Public Service in this regard, but I know what happens in outside employment. Foremen on buildings are members of the same unions as the men, and this was the case, for example, when those fine buildings facing Lonsdale-street were erected by day labour for the Melbourne Hospital. The clerk of works on these buildings was the president of the Bricklayers Union, and also the president of the Building Trades Federation of Victoria. When I worked in a mill the foremen were members of the same unions as the men, and they reaped the reward of any advantages which the men obtained through their organization. Apparently Mr. McLachlan thinks that a public servant, because he is in a higher position, ought not to be a member of a union of which those below him are members. I may say that the public servants deny that recognition of public service associations "has resulted in reduced efficiency and a slackening of discipline in a Department," or that "those conditions have been accentuated by controlling officers joining the same unions as their subordinates." Mr. McLachlan proceeds—

> The affiliation of Public Service Associations with outside labour unions has had a pernicious effect on the morale of the Service. Future recognition of associations should be conditional on their being no such affiliation.

Why? Are the men employed in the Public Service any different from men in outside employment? Are letter-carriers, who deliver letters to bricklayers or coal-miners, not earning their living just as much as are those bricklayers and coal-miners? I do not know that many of the Public Service organizations are affiliated with outside labour unions, but, however that may be, we have no right to restrain them from affiliating.

Mr. GROOM.—There is no proposal to do that.

Mr. TUDOR.—No; but at the present moment I am dealing with Mr. McLachlan's report, in view of which it is no wonder the public servants are a bit afraid of this measure taking them from under the scope of the Arbitration Act. They want to know, therefore, whether

they will be able to secure benefits from the present piece of legislation. Mr. McLachlan proceeds—

> Departments have been thwarted and hampered by the action of Public Service Associations, and by a system of terrorism levelled against controlling officers of Departments, and against the rank and file of associations by executive officials of these associations.

Instead of that being the case, the associations have assisted in the working of Departments by offering suggestions. Many of the proposals for the better working of Departments which have been put into useful effect have emanated from the rank and file rather than from the controlling officers. Mr. McLachlan states further—

> Results of six years of Public Service arbitration have been disloyalty, extravagance, and reduced efficiency.

I cannot credit that such has been the case; otherwise, surely, we would have heard of it. Surely the heads of our great Departments would have made known and taken necessary steps to remedy such a state of affairs. I refer to public officials in whom we have every confidence: Mr. Oxenham, for example; and Mr. Bright, Mr. Young, Mr. Lockyer, Mr. Mills, Mr. Whitton, Mr. Oakley, and Mr. W. H. Barkley. I doubt if the Government will find these head officials prepared to indorse Mr. McLachlan's statements.

Mr. STEWART.—What does Mr. McLachlan mean by his reference to disloyalty?

Mr. TUDOR.—I take it for granted that he refers to disloyalty to the Department. The report proceeds:—

> Continuance of the Arbitration (Public Service) Act upon the statute-book will have serious and disastrous effects as regards discipline and efficiency of the Service, and inflict an unjustifiable and grievous burden upon the taxpaying community.

If that means anything at all, it means that it is hoped to force employees to work longer hours, or, at cheaper rates.

Mr. BRENNAN.—I hope, at any rate, that we do not have Mr. McLachlan as Arbitrator.

Mr. TUDOR.—As for that, I do not think he would apply for the job. Are we to understand by this last reference that public servants are to expect very little from this measure?

Mr. McWILLIAMS. — When Mr. McLachlan was in the Service he was considered one of the fairest and straightest among civil servants.

Mr. TUDOR.—I have not said anything against the gentleman personally. But, no doubt, the public servants will be able to look after themselves. I recall that at a smoke social of Customs officials I once remarked that I was aware that under our Public Service laws departmental officers were prohibited from taking part in political matters. I reminded those present that, while opium was a prohibited import the Chinese in Australia, who wanted to smoke opium, did not seem to be effectively prevented from doing so. I have not the slightest doubt that public servants, who so desire, do take an interest in politics; and, of course, we have no right to separate them from the general body of the public in this respect.

Mr. MAXWELL.—But we would be separating them even if a Judge were appointed to do their special work.

Mr. TUDOR.—Public Service employees have been working under the present Act, and they are not anxious for a change, particularly in view of some of the statements of Mr. McLachlan, whose report, no doubt, has at least hurried on the measure now before the House. All that is required to meet the present situation is to appoint more Deputy Judges, so that the Public Service cases now awaiting consideration may be speedily dealt with. Public servants should not be asked to wait longer than anybody else for settlement of their troubles, especially in view of the ever-increasing cost of living.

I take it that Commonwealth servants will have no opportunity or right of going before the industrial peace tribunals, but I do not know that definitely. The trouble is that numbers of public servants do not know exactly where they stand, or under what body or award—if any—they may benefit. Employees connected with the Commonwealth Line of Steamers, for example, do not know where they are. I have a file of correspondence before me which emphasizes that point. I wrote to the manager for the Commonwealth Line of Steamers on 27th July as follows:—

> On the 4th June last you wrote to Mr. C. E. Walters, of 73 Stanhope-street, Malvern, regarding the question of payment due for annual leave not granted, also for Sundays and gazetted holidays worked by him.

This man claims that, being a member of the association, he was working under arbitration award No. 7 of 1919, which prescribes certain rates for temporary clerks.

I shall be glad if you will reconsider his application and advise me.

The reply of Mr. Eva stated—

Your letter relates to a claim made by Mr. C. E. Walters, who was formerly employed with this line. I am, however, not clear as to the nature of the claim which Mr. Walters has put before you. Apparently he is claiming certain benefits under an award for temporary clerks; but he was a permanent employee of this line, and, as such, received all the benefits which accrue to the permanent members of the staff. You will appreciate, therefore, that I experience some difficulty in understanding the claim put forward under the award for temporary clerks.

But when this man said he was a permanent employee, and entitled to something, he was told that he was not that either; so, he was out of everything. I wrote again, therefore, on the 23rd August:—

I received your letter of 10th instant relative to Mr. C. E. Walters, who was formerly employed in your office.

I would refer you to the claims made in his letters to you on 19th May and 14th June last.

In your communication you contend that this man is not entitled to any benefits under the award for temporary clerks, as he was a permanent employee.

Will you please advise me, if such is the case, as to whether this man is entitled to all benefits given by the Court in awards for permanent employees?

I presume that all the different employees in your Department (as in all other Government offices), are working under an award, either for temporary clerks or for permanent officers.

On 2nd September the following reply, from another official of the Department, came to hand:—

Mr. Eva is at present away owing to ill-health, and I do not expect that he will be back for two or three weeks, so I am taking the liberty of replying to your letter.

The claim originally made by Mr. Walters was for payment in lieu of annual leave alleged to be due, and also for payment alleged to be due for work performed by him on Sundays and holidays, the claims being made under the temporary clerks' award.

We informed Mr. Walters that, in our opinion, he was not entitled to the benefits for which he was claiming, and in this opinion we were guided by the following facts:—

"The employees of this line are in an entirely different position to that of temporary employees in the Commonwealth Service. The latter are employed only for short periods, whereas employees of this line are assured of permanent employment so long as they show themselves capable of carrying out their duties. Further, a temporary clerk is defined in the award of the Temporary Clerks' Association as a person temporarily employed as a clerk in clerical work in the Public Service of the Commonwealth, or in the Navy or Defence Departments.

"Since the Public Service regulations do not apply to the Commonwealth Government Line of Steamers, we take it that the award governing the service of permanent Government clerks does not apply to the officers of this line."

It would seem, then, that this man cannot secure benefits either as a temporary or as a permanent employee.

Mr. GROOM.—The word "temporary" in that connexion means "temporary under the Public Service Act."

Mr. TUDOR.—Yes, under an award which temporary employees obtained. The letter concludes:—

You will no doubt appreciate that if this line is to be run as a commercial proposition in competition with other shipping lines, it is essential that the management should have a free hand with regard to staff; and it is the expressed desire of the general manager in London that our staff should be working under similar conditions to those of the employees of the leading shipping offices in Australia.

Mr. Walters at the date of his engagement was full acquainted with the conditions of his employment, and he did not express any dissatisfaction with them at the time.

Will the employees of the Commonwealth steamers come under the operations of this measure?

Mr. GROOM.—I am not sure, but will see.

Mr. TUDOR.—Will the employees of the Railway Department be included?

Mr. GROOM.—A provision of the Railways Act of 1917 preserves to the employees of the Commonwealth railways their rights under the Arbitration (Public Service) Act.

Mr. TUDOR.—If the employees of the Commonwealth steamers are not included in this Bill, they should have the right of ordinary citizens to appeal to the Arbitration Court.

Mr. GREENE.—They should have the right which shipping clerks in private shipping companies' offices possess.

Mr. TUDOR.—But according to the letter I have read, it is not admitted that they have that right.

Mr. GREENE.—The letter does not deny that they have the right of appeal to the Commonwealth Arbitration Court.

Mr. TUDOR.—Clerical workers in Victoria are working under an award of the Arbitration Court, and under the State legislation a Wages Board has just been appointed to deal with the conditions of their employment. We must see that fair play is meted out to these shipping clerks, who do not know what their position will be under this legislation. The Prime Minister has told us that cases already commenced in the Arbitration Court will be in the position of the case in which Mr. Justice Higgins is dealing with the question of a forty-four hours week.

Mr. MAXWELL.—That is provided for in this Bill.

Mr. TUDOR.—I hope that this measure, when passed, will be proclaimed fairly early, so that persons affected by it will know their position as soon as possible. An organization which has been put to considerable expense in preparing a case for the Arbitration Court may be obliged to commence all over again preparing a case for the Arbitrator.

Mr. GROOM.—All the papers will be transferred. The case will go straight to the Arbitrator.

Mr. TUDOR.—I have been supplied with the following statement representing the views of the Public Service in regard to the office of Arbitrator:—

> The Bill dealing with the conditions of employment in the Public Service makes provision for an arbitrator. It is the unanimous request of the Service that the Arbitrator should be assisted in his duties by one representative from the officers and one from the Government to be elected jointly by the various Ministers and the Public Service Board. We feel that if the Arbitrator had the assistance of these officers he would be able to more effectively discharge his duties.
>
> In the Arbitration Court of Western Australia the organizations and the employers have a representative on the bench to assist the Judge. In the Victorian Railways Classification Board, which deals with the conditions of employment of all Victorian railways officers, Judge Winneke is assisted by representatives from the Railways Union and representatives from the Railways Commissioners. The New South Wales Board of Trade, which fixes the living wage for the workers of that State, is similarly constituted. The Federal Basic Wage Commission, which was appointed by the Commonwealth Government, consists of an independent Chairman or Arbitrator, together with representatives from the employees and the employers. This practice is generally followed in Arbitration Court proceedings and Wages Boards throughout the State of Victoria.

I agree that the men in the Service are in a better position to know more of the actual work performed than it is possible for any outside person to know, but I do not agree with the suggested method of appointing the Government's nominee. No doubt Cabinet would be guided by the Public Service Board provided for in another Bill, but Ministers themselves should make the choice. I hope the Government will give consideration to the suggestion for the appointment of assessors, so that the Arbitrator may be able to inform himself in the best possible way by securing the expert advice of assessors as to the conditions applying in the Public Service. In my opinion, provision should be made in the Bill prescribing that award rates will be payable to only members of organizations, which bodies are put to a great deal of expense in fighting arbitration cases. At the present time the Victorian Railways Union are fighting a case at Spencer-street, and the letter carriers are fighting another case before Mr. Justice Starke in the Arbitration Court. It is unjust to them that any person who chooses to stand outside an organization, not contributing a penny to the cost of fighting a case, should reap any of the advantages gained. We are told by the Treasurer that if people do not give voluntarily to the Peace Loan they will be compelled to contribute, on the ground that they have gained advantages through the efforts of our men who went overseas to fight. The unions take up the same attitude in regard to arbitration proceedings, and contend that only the members of those organizations who fight their cases through the Court should obtain the benefit of any increases awarded. I regret exceedingly that it has been found necessary to bring in this Bill. I trust the Government will still consider the advisability of appointing one Judge to get all these arbitration cases out of the way, and so deal with the Public Service exactly as other members of the community are treated. The Public Service to-day cannot be said to be a place that is attracting and keeping those persons who used to flock to it in the past. I know that for years when telegraphists were wanted in Queensland they had to be sent from Victoria and other States. Victorian boys who passed the entrance examination for the Service would receive a communication to this effect: "Are you willing to take service in New South Wales, Queens-

land, or Tasmania (as the case might be)? If so, you can be given an appointment there, whereas if you wait until your turn comes here, the chances are that you will not be appointed at all." They were also told that they would be kept in the State to which they were appointed for a certain number of years, and then they "might" obtain a transfer back to Victoria. Many boys whom I knew personally have gone in that way to other States.

Mr. BAMFORD.—As public servants?

Mr. TUDOR.—Yes.

Mr. BAMFORD.—My experience has been quite the reverse.

Mr. TUDOR.—I know that many telegraphists have gone to Queensland.

Mr. LAIRD SMITH.—And quite a number went to Western Australia.

Mr. TUDOR.—The point I was making was that it was easy enough to get a transfer from Victoria to Queensland, but very difficult to get a transfer back from Queensland to Victoria. Perhaps that is what the honorable member for Herbert (Mr. Bamford) was thinking of. The position to-day is that, within six months, according to an answer given recently to the honorable member for Darling (Mr. Blakeley), over 1,000 employees have left the Public Service because they could do better outside. If we are to have an efficient and first-class Service we must improve the conditions which we have to offer. I was for some time in charge of a Department that is collecting anything from £18,000,000 to £20,000,000 per annum.

Mr. GREENE.—Much more than that.

Mr. TUDOR.—The revenue is, perhaps, £24,000,000 now, largely owing to the inflation of values, a condition which is apparently likely to last for some time, and owing also to the fact that we are importing some things which we ought to be producing in Australia. Whatever the revenue may be, the Minister for Trade and Customs (Mr. Greene) will agree that we must have efficient men in the Department to value the imports. We must have good men, and we must make the Service sufficiently attractive to keep those who are in it. There is no party politics about that question at all. If this Bill will tend to create a discontented Service we shall not do wisely to pass it in its present shape. We must keep the best men in the Service, and we must have a good Service, because without it the wheels of the Commonwealth will not run as smoothly as they otherwise would. I regret that the Bill has been brought forward, but, as it has been, I trust that we shall be able to amend it in Committee in such a way that it will give greater satisfaction to that body of men who do such good work for the Commonwealth, that is, the public servants of Australia.

Mr. FOWLER (Perth) [4.15].—If the statements upon which presumably this measure is founded are to be taken literally, then we want something very much more drastic than this proposal. If, as we are given to understand, the Public Service is suffering from an incapacity to do work, and an inordinate desire to increase its remuneration, if it suffers also from what, to my mind, is the most serious offence of all, disloyalty to the Government and to its superior officers, then the mere appointment of an Arbitrator will not mend the situation at all.

While it is the fashion to throw stones at public servants, just as it is the fashion to throw somewhat bigger ones at members of Parliament, I must confess that throughout the whole of my experience I have not found the bulk of the public servants of the Commonwealth one whit less conscientious or capable than men of similar occupation and rank of life outside. I have seen a good deal of the Public Service in one way or another during the years I have been in this House, and I confess my inability to discover any deterioration of the wholesale character that has been attributed to it. There are, no doubt, in the Service, as everywhere else, individuals who are anything but a credit to it, and it is one of the defects of the system that we have not had a more direct and effective method of dealing with the waster who may have got into the Service in some fashion or other, or who may have developed, after entering the Service, certain defects of character that were not obvious when he first came into it. It is, I know, exceedingly difficult to get rid of such individuals. There are some of them about. I have come across two or three of them in my experience, and I have always regretted that there was not a summary method of taking them by the scruff of the neck and throwing them out. That is a matter which I think the bulk of the

public servants would be very glad to see improved, because they do not want to be disgraced by the average waster. The majority of them want to do their work in a way that will be satisfactory to their own consciences, and creditable to the country and to the Service as a whole. If there are any individuals in the Service who come under the category of "slackers," I do not think they are to be found among those who have gone through the usual channels of appointment by examination and promotion by merit. There are at the present time in the Public Service, as we all know, a good many individuals who came in by "back doors" or "side doors" of various kinds during the war. There are a good many of them still in the Service who are simply keeping their positions comfortably for themselves, with very little advantage to the country. The sooner they are got rid of, and the Service goes back to what I might call the standard official, the better it will be for the country. There has been gross abuse of the power by which these casuals have been brought into the Service, especially during the course of the war. One appointment after another has been made of individuals whose qualifications were more than doubtful, and whose recommendations to those positions were such as could not always creditably be made public. As to the Service as a whole, I have every reason to believe that to-day as good work is being done by the public servant as ever, and if there are any troubles, as we know there are, the public servants themselves are not entirely to blame for them. There has been general unrest throughout the community, and the public servants have to some extent been affected by it. The fundamental trouble as regards the Service is that, whilst salaries were rising outside, they were not accompanied by corresponding increases within. I believe that is at the bottom of nearly all the trouble we have had with the public servants during the past few years. The heads, such as Mr. McLachlan and those under him, have not observed the repeated increase in pay that has gone on outside, or, if they have, they have not considered themselves justified in following it up in the case of the public servants. Hence they became dissatisfied, and naturally appealed to the Arbitration Court, with the result that they obtained substantial increases which we have every reason to believe were justified on the evidence. If there has been confusion—and undoubtedly there has—concerning the various awards, this surely is not the fault of the public servants. Of course, they would all like their remuneration and conditions of employment to be on a uniform basis, and the honorable member for Yarra (Mr. Tudor) has made a very practical suggestion to this end, namely, that the whole of the arbitration work in connexion with the Public Service should be undertaken by one Judge. If this course were adopted, I feel sure that much of the confusion resulting from what appear to be inconsistent decisions will be brought to an end.

Mr. BURCHELL.—This Bill does not lay it down that a Judge shall not be the Arbitrator.

Mr. FOWLER.—No, but we may take it that a Judge will not be the Arbitrator. Very much will depend upon the character of the man chosen. One can readily conceive that decisions may be very unsatisfactory to the Government on the one hand, or equally unsatisfactory to the employees on the other.

Mr. BURCHELL.—The principle the honorable member is arguing for is embodied in the Bill.

Mr. FOWLER.—I am not arguing for the appointment of an Arbitrator at all. I am urging a continuance of the present method under an improved system. If the Board, which we are going to create to govern the Public Service, is well chosen, and enjoys the confidence of the Public Service, it is possible that the difficulties now confronting Parliament will disappear entirely.

But there is one feature of the measure to which I strongly object, and which hitherto has received little attention. We do not want any political element in the control of the Public Service, but yet, in this Bill, it is proposed that every determination of the Arbitrator shall be placed before Parliament.

Mr. GROOM.—That is the existing law.

Mr. FOWLER.—Technically no doubt it is, but at present determinations of the Arbitration Court do not come before Parliament for review in the manner proposed by this Bill.

Mr. GROOM.—The clauses referring to this matter are a reproduction of sections in the existing Act.

Mr. FOWLER.—Yes, but under the present Act they are decisions by a Court of justice, and under this Bill they may be determinations of a person to be appointed, and I submit that much greater danger may be apprehended from bringing a determination of an Arbitrator before Parliament for review than from submitting a decision of a Court of Arbitration. I contend, therefore, that until more justification is shown for the change it would be better to adhere to the present system. We are sanctioning a good many experiments in connexion with the Public Service generally. We have introduced certain Tribunals, we are going to have a Board of Control, and in this measure we propose to appoint an Arbitrator. I feel sure that if we dispense with the proposed Arbitrator, and vest control in a well-chosen Board, supported by an efficient Court of Arbitration, the position will be much simplified, the Service will be more contented, and the position generally from the public point of view will be much more satisfactory.

Mr. WEST (East Sydney) [4.27].—I desire to offer my strongest opposition to this measure. I do not know how the members of the Public Service voted at the last election, but I do know that a Public Service candidate who opposed me was very badly beaten. This proposal was strongly opposed on a former occasion by the party now in power, and after a considerable amount of discussion the then Labour Government decided to place the Public Service under the jurisdiction of the Arbitration Court, for the reason that members of the Public Service really occupy the same position as ordinary citizens. If it were otherwise; if we lay it down as a principle that there must be a distinction between members of the Public Service and ordinary citizens, we might as well provide separate gaols for public servants convicted of crime, and even separate burying grounds when they go hence. But in a democratic community such as ours there should be no distinctions at all. The people eat together, they drink together, they sing together, and they marry. All salaries should be based on the same conditions of service. The public servants do not claim to be the darlings of the Commonwealth, and only ask to be fairly dealt with. If it is not the intention of the Government to mete out justice to them by adequately remunerating them for the work they are performing, the Government will have to shoulder the blame. Why do not the Government allow the public servants to continue to have their cases heard in the Arbitration Court as the members of other organizations are allowed to do? There should be no distinction between those who are employed in the Commonwealth Public Service and those who are performing similar duties elsewhere. It is our desire to have an efficient and contented service, and unless we have that it will be impossible for the Government to receive a fair return for the expenditure incurred. A Bill of this character would never have been introduced if the Labour party had been returned, because a Labour Government would legislate on democratic lines. The Leader of the Opposition (Mr. Tudor) says that the Bill emanated from Mr. McLachlan's report.

Mr. GROOM.—Mr. McLachlan's report is opposed to arbitration.

Mr. WEST.—Does the Minister for Works and Railways (Mr. Groom) think that I am so blind or so stupid that I cannot see that the Government are endeavouring to introduce something in place of Mr. McLachlan's recommendation? The Government have not the courage to do what they know to be right. I agree with the honorable member for Perth (Mr. Fowler), who said that the present congestion and difficulty in the Arbitration Court could be overcome by appointing an additional Judge to deal with Public Service cases. It would be preferable for the public servants to have their cases heard by a Judge possessing a knowledge of outside conditions, because he would be in a position to compare the conditions prevailing in the Service with those outside. A specialist is not required, and surely honorable members will admit that it would be desirable, taking into consideration the manner in which Australia is progressing and the Public Service expanding, that all similar callings and occupations should be dealt with by the one Court. I would prefer to see the public servants compelled to join outside organizations. I had many opportunities of joining the Public Service, but refrained from doing so, because it did

not offer sufficient inducements to men of culture and ability. This measure will not be the means of making the Service so attractive that capable and intelligent men will be encouraged to join it. I do not know whether it is too late for the Government to withdraw the Bill, but I sincerely hope they will do so, and introduce a measure to increase the number of Judges, and allow the public servants to continue to approach the Arbitration Court in the ordinary way. The Government, by this Bill, are making undesirable class distinctions when they should be doing all in their power to create solidarity and harmony. If the Bill will be the means of giving public servants privileges that others do not enjoy, or of depriving them of advantages which others possess, its effects will be very detrimental. I believe it will create dissension and distrust, and I can only repeat that it has been introduced because the public servants supported the present Government. If that is the case the public servants are now being punished. If the Bill has been introduced to assist in keeping this Government in power, it is not in the interests of good government.

Mr. MAXWELL.—We all agree with that.

Mr. WEST.—There are many other matters to which the Parliament might more profitably devote its time instead of discussing a measure which will have the effect of creating a class distinction as between public servants and the general body of workers. Some heads of Departments do not approve of public servants having the right to go to the Conciliation and Arbitration Court for the redress of their grievances. They think that they would be able, so to speak, to "pull the leg" of an Arbitrator appointed to deal only with Public Service matters. The Ministerial party went to the country with the cry that they were out to secure economy; yet we have them proposing here to create a new Department. The Arbitrator for which this Bill provides will require a registrar, a chief clerk, a second clerk, and also a couple of messengers—one to deliver his letters, and the other to open the door and hang up his coat for him. He will require a staff of officers; so that this Bill will really lead to the creation of a new Department for the expenditure upon which there can be no justification. The Country party have also declared themselves in favour of economy, and that being so I find it difficult to understand on what grounds they are prepared to vote for this measure. Something like thirty-five years ago, the late Sir Henry Parkes, in reply to a deputation, which made a very modest request to him, said, "I do not know where this is going to end. In the name of goodness, do not ask me to create another new department!" Public Departments since then have grown enormously. I am satisfied that this is not an honest attempt to deal with public servants as they deserve to be dealt with. It is merely a measure to please those who object to public servants having the right to go to the Conciliation and Arbitration Court. There are some heads of Departments who desire to keep the control of their staffs entirely in their own hands. Some public servants who are not allowed to appeal to the Court have been very badly treated, and this Bill will merely afford another opportunity for the treatment of public servants in a way to which I am sure the outside public object. The Bill will not add a penny to the revenue, or promote the progress of Australia. It will not reduce the cost of living, or serve any other useful purpose. Instead of being asked to deal with it, we should be invited to consider more substantial measures such as a Bill relating in the finances of Australia. A measure of that kind would lead to permament prosperity, and secure for us the blessings of the people.

I am one of those who anticipated that proposals of this kind would be brought down by the present Government. Many of the electors refused to accept my advice, and they are being punished to-day for their failure to do so. This Bill is not in the best interests of Australia. We should endeavour to encourage the belief that public servants are on the same footing that other workers occupy. I do not indorse much that is said to the detriment of public servants. I know that many of them are as faithful as are any men in private employment. I supported the Bill which enabled public servants to go to the Conciliation and Arbitration Court, believing that whether a man was employed by the Crown, by a municipality, or by a private employer he should have the right to appeal to that Court. Can any one tell me why the

Government propose that there shall be an Arbitrator to deal specially with the grievances of public servants? Some people will probably say that the Bill is merely brought forward to find a job for some one. When a party is in power it certainly does not look after its political opponents. One of the foundation planks in the platform of our party is, "Equal opportunity for all," and I hope that Ministerial supporters will not be so far forgetful of their responsibilities as representatives of the people as to disregard that cardinal principle. Under this Bill, a young man who has entered the Public Service will be debarred from approaching the Conciliation and Arbitration Court, while his brother, who is in private employment, will be able to do so. Why should such a distinction be made? In these enlightened days when practically every one can read and write, a measure of this kind is an insult to the intelligence of the community. I do not know who is to receive the appointment of Arbitrator under the Bill, but there will be as many applicants for the position as there are persons seeking admission to a music hall every evening. The Government should not proceed further with this Bill. No private citizen would father it.

Mr. RYAN.—What grounds do the Government give for its urgency?

Mr. WEST.—I have not heard of any. A measure of this kind should be based upon some principle. Is it supposed that its operation will improve the conditions of the public servants and give them some greater advantage than they now possess in being able to appeal to the Arbitration Court?

I do not know much about Mr. McLachlan, but I do know that when he was Public Service Commissioner it was the idea of the party opposite that he should be regarded as the great panjandrum and autocrat of the Public Service, who should be the only person entitled to decide any question affecting employees of that Service. Honorable members opposite were opposed to the Labour party when they introduced the Arbitration (Public Service) Bill, but now, apparently, they are in favour of arbitration of some kind for the members of the Public Service, possibly because of the congestion in the Arbitration Court. If I were a supporter of the Government I should long ago have demanded to know why they did not appoint an extra Judge to relieve the Judges of the Arbitration Court. Unfortunately, there is not a strong man in the Government at the present time if I except the Treasurer (Sir Joseph Cook), who, I believe, is much stronger in this House dealing with the Opposition than he is outside this House when dealing with the officers of his Department. This Bill is not based on any sound principle, and its operation might possibly be absolutely dangerous to the public servants. On these grounds, as a public man and a representative of the people, I feel that I shall be justified in offering all the opposition I can to it. I see no reason why members of the Public Service should be treated differently from other members of the community. The Arbitration Court, that is intrusted with the settlement of the conditions of employment of professional men, journalists, mechanics, and wharf labourers should also be intrusted with the settlement of the conditions of the public servants. No reason has been advanced to show that public servants should be asked to go for redress of their grievances to a special Arbitrator.

Mr. MARR (Parkes) [5.0].—This is a Bill with which we can deal more effectively in Committee. I cannot agree with what has been said by the honorable member for East Sydney (Mr. West). There are certain aspects of employment in the Commonwealth Public Service which, I think, should be brought under the notice of the House. We have recently been considering the question of conciliation and arbitration as applied to the settlement of the conditions of employment of all classes in Australia. The desire underlying all our legislation of this character should be for the settlement of industrial disputes in as amicable a fashion as possible. In speaking on the Industrial Peace Bill the honorable member for Wentworth (Mr. Marks) expressed himself as in favour of a system which would enable the parties to an industrial dispute to avoid going to a Court for its settlement. In my view, the establishment of Conciliation Boards or Arbitrators to deal with disputes in various industries and in the Commonwealth Public Service, without recourse to Court proceedings, would be a step in the right direction.

Members of the Public Service are aware of the great difficulty experienced in getting to the Arbitration Court. Whilst the honorable member for Perth (Mr. Fowler) suggested that that could be overcome by the appointment of more Judges, the difficulty to-day confronting the Public Service is that too many Judges have dealt with their cases. Mr. Justice Higgins, Mr. Justice Powers, and Mr. Justice Starke have each made conflicting awards in dealing with Public Service cases. It should not be forgotten that the Commonwealth Public Service finds employment for a greater number of persons than does any other institution in Australia, and the whole of the time of one Judge or Arbitrator might be devoted to the consideration of difficulties arising in connexion with the Service.

Prior to the passing of the Arbitration (Public Service) Act of 1911 we had a discontented Service. The Public Service Commissioner had then absolute control. Boards of Inquiry and Appeal were provided for, but the Public Service Commissioner had the right to decide whether an employee should be given the right to appeal, and when an appeal was granted it was only from Cæsar unto Cæsar, which never took the public servants anywhere. Under the old system, when an appeal was granted it was to a man who, in ninety-nine cases out of every hundred, quashed the complaint. In 1911 the Government of the day gave the right to the public servants to go to the Arbitration Court, but they have felt that they have been retarded in their efforts to get to the Court. One disadvantageous result of the right then given them has been that the heads of branches in the Public Service have been obliged to join the associations in the Service. I do not see how it can be considered a good thing that the head of a branch in the Public Service should be placed in such a position that he may be called before the authorities of his association to know why he did a certain thing. That is bound to lower the efficiency of the Service. The head of a branch in the Public Service may be called before the executive of his association, and may be expelled from it for having carried out certain action, and if he is expelled he is deprived of the advantage of any award by the Court, since awards are applicable only to members of the associations. Mr. McLachlan has said that it is advisable that every member of the Public Service should belong to an association within the Service, but whilst I agree with that, the head of a branch should not be liable to be summoned to appear before men serving under him to know why he did or did not do a certain thing.

Mr. WEST.—This Bill will make no difference in that matter.

Mr. MARR.—I do not know whether it will or not. I can mention one award of the Public Service Arbitration Court which has certainly not tended to efficiency in the Service. The Court made an award which had the effect that a post-office earning a certain revenue should be in charge of an officer of a certain grade and salary. Under this award, as soon as the revenue of the post-office is increased to a certain amount, the officer responsible for the increase is moved to another place, because the salary paid to him is not, according to the award, sufficiently high for the office in view of the increased revenue derived from it. The result of that award by the Arbitration Court has certainly not been to increase the efficiency of the Postmaster-General's Department.

Mr. CHARLTON.—Apart from the Arbitration Court award, did not the same thing follow under the Public Service Act?

Mr. MARR.—No; the Arbitration Court laid it down that in the circumstances I have stated the postmaster shall be removed, and another in receipt of a higher salary promoted to the office earning the increased revenue.

Mr. CHARLTON.—Were not officers graded and appointed to post-offices in accordance with the revenue derived from them, before the award referred to was made?

Mr. MARR.—Yes.

Mr. CHARLTON.—Did that not have the same effect?

Mr. FOWLER.—That difficulty could easily be remedied by a regulation making the man responsible for the improvement in the revenue entitled to the increased salary.

Mr. MARR.—If a particular post-office is placed in charge of an officer in receipt of a salary of £250, and he is successful

in building up the revenue of the office, the Public Service Commissioner may say that, because of the increased revenue, the office should be placed in charge of a man in receipt of £300 per year, and then the officer who built up the revenue of the office is removed to another position.

Mr. FOWLER.—That may be the present practice, but surely it could be altered by a simple regulation entitling the man who improved the revenue of the office to an increased salary.

Mr. WEST.—It is a question of departmental management.

Mr. MARR.—No, it is not. What is done is in accordance with an award of the Arbitration Court, and I have referred to it as an instance in which the right given to public servants to appeal to the Arbitration Court has not tended to efficiency in the Service.

In his report on the Public Service, Mr. McLachlan has made many statements with which I do not agree, though he has said some things which I personally approve of. Having had twenty years' knowledge of the Public Service, I can speak on this question with some authority, especially as I have been closely connected with associations in the Public Service, and for eight years was secretary of one of the biggest associations in the Service. The delay in getting to the Court has been one of the greatest troubles. It is stated that the appointment of a greater number of Judges would overcome that difficulty, but I have already pointed out that that might only accentuate the trouble, and make for a discontented Service. If one inquired of the first 100 Commonwealth public servants he met, he would probably be provided with 100 different proposals for overcoming the difficulties of the Service.

Mr. RYAN.—Does the honorable member not agree with the Public Service view of the matter?

Mr. MARR.—I am trying to give the Public Service view. I have one view expressed in a long telegram which was only just handed to me, and, as I have said, if one appealed to individuals he would probably get 100 different proposals from the first 100 members of the Public Service he appealed to. The trouble is to get a consolidated view from the Public Service.

Mr. RYAN.—Is this Bill necessary at all?

Mr. MARR.—If it will lead to industrial peace within the Public Service, it certainly is necessary. I have mentioned that the honorable member for Wentworth suggested that better results in promoting industrial peace would probably be achieved if employers and employees could meet under conditions that would be as far as possible removed from any appearance of Court proceedings, and could hear evidence when lawyers and others were not present, who might make witnesses nervous. I met a deputation of Commonwealth public servants yesterday who told me that one award had cost them something like £1,400. If justice is to be done to members of the Commonwealth Public Service, they should not be called upon to pay any such price for an arbitration award. They should be able to get that without retaining lawyers and without having to resort to a Court at a cost of hundreds of pounds. Let us give to all employees, inside and outside the Service, easy access to some tribunal, so that they may get justice quickly and cheaply.

Mr. MAKIN.—Does not the honorable member think that a Public Service organization ought to be able to speak with a certain amount of authority for the Public Service?

Mr. MARR.—It is a difficult job to get even all the organizations to speak with one voice. In New South Wales there are twelve Public Service organizations.

Mr. RYAN.—Should not the Bill be delayed, so that it may be submitted to the organizations?

Mr. MARR.—That might be advisable if there were any likelihood of getting a united opinion from the associations, but that is not probable. As secretary, I convened a meeting of a council of organizations in New South Wales, but on not one matter did the council arrive at a consolidated opinion. The honorable member for East Sydney (Mr. West) hit the nail on the head when he said that there is a certain amount of class distinction in the Service. Yesterday an officer asked me why we did not appoint a Judge and two assessors to deal with all Public Service cases. I asked him who he would select as the

assessor for the public servants. I pointed out that the General Division, being the largest numerically, would have a preponderating vote, and its delegate would be selected. The clerical officers would not be satisfied with such a choice, whilst if the selected man were a clerical officer the Professional and General Divisions would be dissatisfied.

Mr. RYAN.—The public servants have not asked for this Bill.

Mr. MARR.—They have asked for easier access to the Court.

Mr. RYAN.—This Bill does not provide that.

Mr. MARR.—No, but I agree with the proposal that we should remove all suggestion of a Court of law from arbitration proceedings. A Public Service organization ought not to be compelled to pay £1,400 to have its claim heard by an Arbitration Court.

Mr. MAKIN.—Why compel any union to pay these heavy costs?

Mr. MARR.—I do not think we should.

Mr. GABB.—Under this Bill, will the public servants be recouped the costs of their claims?

Mr. MARR.—No.

Mr. WEST.—Why should the public servants get cheaper arbitration than outside organizations?

Mr. MARR.—They do not. The Industrial Peace Bill, which recently passed this House, creates inexpensive machinery for the settlement of industrial disputes, and the honorable member for Hunter (Mr. Charlton) described it as one of the best measures of its kind ever passed by this Parliament.

Mr. CHARLTON.—I was speaking of the machinery it provides.

Mr. MARR.—Anything we can do to bring about industrial peace amongst both Government and private employees will be a step in the right direction.

Mr. GABB.—Differential treatment will not tend in that direction.

Mr. MARR.—I think it would be better to have one man dealing with all Public Service claims. At present the public servants have to go before one of three Judges, and the result, so far, has been conflict in the terms of the awards.

Mr. RILEY.—Who made the majority of the awards?

Mr. MARR.—Mr. Justice Powers.

Mr. RILEY.—How could there be any great conflict if the majority of them were made by one Judge?

Mr. MARR.—Other awards have been made by Mr. Justice Higgins; and Mr. Justice Starke is hearing a Public Service claim at the present time. It would be better if all claims were heard by the one Arbitrator. The Parliament will always stand in the relation of a last Court of Appeal for public servants. The point in regard to which public servants are most concerned is the calibre of the man who is to be appointed Arbitrator. Honorable members will agree that in the early days of Federation the Commonwealth Public Service was the best treated of any; to-day it is the worst paid Public Service in Australia.

Mr. FOWLER.—Is that not the whole cause of the trouble?

Mr. MARR.—The principal cause of the trouble is the existence of different awards as to the living wage in various parts of the Commonwealth, and the fact that the Commonwealth takes no cognisance of any awards by a State Arbitration Court. In New South Wales the basic wage has been fixed at £3 18s. per week, but the Commonwealth will not recognise it. If the basic wage in New South Wales is £3 18s., and the basic wage in Victoria is £3 9s., and the Commonwealth raises the salaries of its servants in those States to the minimum, the man in New South Wales becomes senior to the man in Victoria who is doing the same class of work. Seniority in the Service is always determined by the salary which an officer receives. A man who enters the Service to-day at £400 per annum becomes senior to a man who has been in the Service for twenty years, but is receiving only £300.

Mr. MAXWELL.—Senior for what purpose?

Mr. MARR.—For promotion to any vacant position throughout the Service. When the Commonwealth took over certain services from the States, it was laid down that the transferred officers should take with them their accrued and existing rights. That undertaking has not been honoured in regard to certain rights that were enjoyed by officers transferred from the New South Wales State Service. For instance, after twenty years in the State Service an officer is entitled to six months' furlough, and for every additional five years of service a further six weeks' fur-

lough. Thus, a man who has been thirty years in the New South Wales Service is entitled to nine months' leave on full pay. That accrued right is not being conceded by the Commonwealth. The honorable member for East Sydney (Mr. West) said that he was opposed to coddling the Commonwealth public servants and giving them benefits that are not enjoyed by employees outside the Service. It is true that public servants are entitled to certain benefits not conferred upon persons in private employment, amongst them being sick leave, annual recreation leave, and long-service leave.

Mr. Makin.—That is no more than they ought to have.

Mr. MARR.—Quite so, and I would like to see the same benefits extended to employees outside the Public Service. Every man who is working hard for his living is entitled to an annual holiday. At the same time, I think everybody knows that a Government employee is restricted in a way that private employees are not. I know of men in private employment in New South Wales who are able to earn a little extra money by night engagements, such as contributing musical items. In the Government Service earnings of that kind are forbidden.

Mr. Makin.—The honorable member would not countenance a system which required a man to supplement his income from other sources?

Mr. MARR.—Whether I approve of that system or not, the honorable member knows that it exists, but an officer of the Public Service is owned body and soul by the Commissioner; he is bound hard and fast by regulations.

Mr. Ryan.—The decision of the Arbitrator will not be binding on the Commissioner.

Mr. MARR.—The present Arbitration Court gives awards which are binding on the Commissioner, but there is continual fighting as to what interpretation is to be placed on them. I have known an award to be interpreted in three different ways. If there were a permanent Arbitrator for the Public Service any controversial point in an award could be referred to him, and he would declare straightway what he meant. At the present time the Department, the Public Service Commissioner, and the employees may each take a different view of an award, and the only means of getting a definite interpretation is by resorting again to the Court. That trouble would be avoided by the appointment of an Arbitrator, who would have his own Department.

Mr. West.—Is he to be a public servant?

Mr. MARR.—So far as that goes, every Judge is a public servant. I do not know what man the Government have in view for the appointment, but I hope he will be a man of common sense, who will be acceptable to both Parliament and the public servants.

Mr. Fowler. — Is it possible to get such a man?

Mr. MARR.—I do not think so.

Mr. Gabb. — The honorable member said that the Public Service Commissioner owns the Service, body and soul. Will not the Arbitrator own the balance —the spirit—and break it?

Mr. MARR.—I do not think so. He should be a man who will be bound not so much by legal considerations as by the dictates of common sense. This measure seems to me to offer a means of bringing about industrial peace in the Commonwealth Service. The more we can get away from the atmosphere of a Court of law the better it will be. It will remove that feeling of restraint which members of unions have when they appear before a Judge. If we can establish in connexion with all industries non-legal Tribunals for the settlement of disputes we shall be conferring a benefit upon the whole community. If, for instance, the Government could appoint a man well acquainted with the iron industry to arbitrate in all disputes in relation to it they would be justified in doing so. In America the big industries have their systems of internal arbitration. In the big Ford Motor Works all complaints and grievances are dealt with by small Tribunals created within the works. We should adopt a similar system in Australia. In connexion with the coal-mining industry in New South Wales, a Special Tribunal has been already created, and, although it is outside the Arbitration Act, nobody will deny that it is a wise innovation. I hope this Bill will promote industrial peace in the Public Service. If we can secure industrial peace in that Service by the appointment of an Arbitrator it will be a step in the right direction.

Mr. CHARLTON (Hunter) [5.26].—It is difficult to understand why the Government desire to differentiate in the matter of arbitration. The honorable member for Parkes (Mr. Marr) has referred to the Tribunal which dealt with the mining industry last week. May I remind him that the employees in that industry are not a registered body under the Arbitration Act, whereas our public servants are. What is more they desire to continue under the Act so that their position is entirely different from that of the men to whom he referred. The honorable member further stated that there is no unanimity among the different sections of our Public Service in regard to this Bill. From information which honorable members have received we know that there is a disposition on the part of a very large number of them to remain under the Arbitration Act. I well remember that when our public servants banded together for the purpose of dealing with the differences which might arise between themselves and the heads of Departments they were told by this Parliament, "If you have difficulties which you desire to remedy, you must adopt the same method as is adopted by every other industrial body. You must go to the Arbitration Court." It was the deliberate act of this Parliament which forced our public servants to go to that Tribunal. Having compelled them to go there, the Government now propose to drag them away from it, much against their will.

Mr. GROOM.—We are still preserving arbitration.

Mr. CHARLTON.—But a system of arbitration which does not appear to be giving satisfaction. One of the reasons advanced by the Government for the introduction of the Industrial Peace Bill was that certain organizations do not approve of the Arbitration Court.

Mr. MARR.—I do not know that they quite understood the position.

Mr. CHARLTON.—I do not quite understand it either. Under this Bill, the Government will select the Arbitrator who is to be appointed. They may, of course, select the best man possible, but on the other hand they may select a man who the public servants may consider possesses a bias against their organization. Our public servants do not know who he will be, but they do know that under present conditions they must go before certain Justices of the Arbitration Court. This Parliament has already decided to appoint additional Judges in order to relieve the congestion of business in that Court. Seeing that we have enacted such legislation it is very doubtful whether there will be sufficient work forthcoming to keep the Arbitration Court, the Tribunals to be appointed under the Industrial Peace Bill, and this Special Arbitration Court for public servants fully occupied. It is quite possible that in the near future there will be very little work for the Arbitration Court to do.

Mr. MAXWELL.—Especially if an attempt be first made to arrive at agreements in industrial disputes by means of conciliation.

Mr. CHARLTON.—Exactly. If that means be adopted there will be less work for the Arbitration Court to do. But we must always have at least three permanent Judges sitting in that Court. Is it wise, therefore, for us to make the departure that is proposed in this Bill, especially in view of the fact that our public servants do not approve of it? The honorable member for Parkes has stated that there is no unanimity amongst them in regard to this matter. In reply to his contention let me quote the following paragraph from a letter, a copy of which has been forwarded to every member of this Parliament:—

> As public servants we do not admit the right of the Government to remove us from the Arbitration Court. We consider we are workers in the same sense as all employees in concerns outside of the Public Service, and as such demand the same Court or other such body as may be established from time to time to deal with any matters connected with our employment. We, however, are forced to conclude that the Government is determined to take this course of action, and we are consequently obliged to direct our energies to securing such a Bill as will provide fair and equitable means of dealing with such matters when they are submitted to the Arbitrator.

That letter is signed by Thomas C. Maher, on behalf of the Clerical Association; J. H. Cameron, on behalf of the Letter-Carriers Association; J. W. Doyle, on behalf of the Postal Sorters Union; P. J. Toohey, on behalf of the Post and Telegraph Association; J. J. Wray, on behalf of the Postmasters Association; W. P. Anderson, on behalf of the Federated Public Service Assistants Association; W. Jarvie, on behalf of the Artisans Association; W. H. Wykes, on behalf of the Customs General Division Officers

Association; C. Pearson, on behalf of the Telephone Officers Association; F. Meier, on behalf of the Postal Electricians Union; and J. O'Reilly, on behalf of the Postal Linesmen's Union. It will be seen, therefore, that a large number of unions desire to remain under the present Arbitration Court. Consequently, the statement by the honorable member for Parkes that there is no unanimity amongst our public servants in regard to their attitude towards this Bill is difficult to understand.

Mr. Burchell.—Does the honorable member mean that the various organizations concerned have considered this Bill?

Mr. CHARLTON.—Yes, and they are suggesting amendments to it.

Mr. Burchell.—But the organizations are not the executives.

Mr. CHARLTON.—There may be a general executive—I do not know. But these are distinct organizations belonging to our Public Service, and they would have representatives upon any general executive.

Mr. Groom.—The honorable member does not suggest that the executives of those organizations express the opinion of the whole of the Public Service? The Bill was only introduced on the 22nd July, and the circular letter which has been quoted is dated 27th July.

Mr. CHARLTON.—Those executives stand in the same relation to our Public Service organizations as every head of a trade union stands to the members of that union. When the head of any union speaks he does so on behalf of its members. Consequently, I assume that the men whose names I have quoted speak on behalf of their respective organizations. Here is another letter, dated August, 1920, which says—

> The Bill dealing with the conditions of employment in the Public Service makes provision for an Arbitrator. It is the unanimous request of the Service that the Arbitrator should be assisted in his duties by one representative from the officers and one from the Government, to be elected jointly by the various Ministers and the Public Service Board. We feel that if the Arbitrator had the assistance of these officers he would be able more effectively to discharge his duties.

There is a good deal to be said in favour of that view. I do not care whether he be a Judge or a layman—it is impossible for any single individual to possess the qualifications necessary to enable him to have a proper grip of the conditions which obtain in all our huge public Departments But if he has upon the Bench assisting him men who possess a fair share of that knowledge, very much better decisions will be forthcoming than would otherwise be the case. The honorable member for Parkes stated that arbitration awards have worked injuriously so far as postmasters are concerned. I may be wrong, but I am under the impression that prior to any awards being made by the Arbitration Court, a similar state of affairs obtained. I have had many cases brought under my notice in which a certain revenue has been forthcoming from a particular post-office. A postmaster has been appointed to that office, and by his diligence and constant attention to duty has increased the volume of business passing through it, with the result that the revenue has correspondingly increased. Then it has been found that his classification did not entitle him to fill the position which he was holding, and he has been transferred elsewhere.

Mr. Fowler.—It is the system of classification by seniority that is at fault.

Mr. CHARLTON.—Exactly. There are many good men in the Service who have immensely increased the revenue from post-offices to which they have been appointed, and who, as a reward, have been transferred. Upon being removed to fresh localities they naturally say, "It is not to my advantage to improve the position of this post-office, otherwise it will get beyond my classification, and I shall be again removed." That is the position which obtained before the Arbitration Court was created. It is a question of classification which is involved, and I think that the honorable member for Parkes will recognise that.

In regard to Mr. McLachlan's criticism of public servants, when he states that they are disloyal and inefficient, he may have some isolated cases in mind, but my own belief is that our public servants are intensely loyal to their Departments, and render most efficient service to the Commonwealth. If there are any men in this country who have reason to complain of their treatment it is our public servants. During the past five or six years of war conditions, no end of additional work has been imposed upon them. Yet they have never complained. They

have done that work without any extra remuneration apart from the payment of a small bonus, and yet we are now told that they are disloyal to their Departments. Take the case of the postal officials. Many postmasters in various parts of Australia are to-day performing double the work that they were required to perform ten years ago. As the result of legislation which this Parliament enacted, they now have to attend to matters connected with the payment of old-age and invalid pensions, not to mention a number of other matters. Nobody can estimate the amount of money which passed through our post-offices during the war period for the purpose of paying the allotments made to the relatives of soldiers who were absent in the fighting line. Upon top of all this additional work, postmasters were obliged to change their system of keeping their books and accounts. I know of postmasters who have almost broken down as the result of carrying out their duties during the past five or six years, and I have not hesitated to raise my voice in this Parliament upon their behalf. The cost of living has gone up enormously in the last few years, and if an inquiry were held to-morrow it would be found that the increases of salary in the Public Service have not risen in proportion. This affords further ground for complaint.

Mr. FOWLER.—The wages have not increased by anything like proportion to the cost of living.

Mr. CHARLTON.—Exactly.

Mr. GROOM.—The Court has adjudicated on some of those matters.

Mr. CHARLTON.—That may be, but the decisions of the Court have not been in keeping with the increased cost of living. The attitude of the public servants only displays their loyalty to the Government and to the country, and we ought to be proud of them. I have in my mind at least four or five men who have practically broken down in health through the excessive work imposed upon them during the war period, and servants who work like this for their country are worthy of some consideration. I do not at all agree with Mr. McLachlan in his wholesale condemnation of the public servants. We are told that there are something like thirty cases awaiting hearing in the Arbitration Court; but that is no reason, if the men are satisfied with the present Court, why we should appoint an Arbitrator, and create another Tribunal. There ought to be no distinction made between one set of employees and another; the public servants should not be given different treatment from that afforded to men in other callings, but should be able to take full advantage of the Court as constituted.

Mr. MARKS.—Is this not the day of specialization?

Mr. CHARLTON.—I do not know that it is in matters industrial.

Mr. MARKS.—But in regard to a huge Service like this.

Mr. CHARLTON.—In 1911 there were nearly as many employed in the Public Service as there are to-day, and it was then that Parliament, in its wisdom, decreed that these men should go to the Arbitration Court.

Mr. MARR.—There are 10,000 more civil servants throughout Australia now.

Mr. CHARLTON.—The numerical strength of a union is not the point. If there are 50,000 men in a particular organization, and in five years they increase to 100,000 men, the claims that come before the Court are not increased, for the same process serves whatever the number may be. If, instead of sectional unions, all the men were embraced in a large union, there would be fewer claims still. I see no necessity for the Bill.

Mr. MARKS.—Would the Bill not mean quicker methods?

Mr. CHARLTON.—I do not think so.

Mr. ATKINSON.—Will the public servants be prejudiced in any way by the change proposed?

Mr. CHARLTON.—It is a matter of doubt—much depends on the future. The public servants do not know who is to be appointed Arbitrator.

Mr. ATKINSON.—A great deal, of course, will depend on that appointment.

Mr. CHARLTON.—I may not agree with the public servants in every particular on this phase of the question, and I am not now urging my individual opinion; but now, after they have been driven to the Arbitration Court, they are told they are to be given another Court of which they know nothing.

Mr. GROOM.—It is hardly fair to say that the public servants were "driven" to the Arbitration Court; we gave them the right and privilege to use the Court.

Mr. CHARLTON.—We urged then that if the public servants were not

satisfied with the then existing conditions, they could go to the Arbitration Court like other employees.

Mr. MARR.—At that time the majority in the Public Service objected to arbitration.

Mr. CHARLTON.—But they were driven to the Arbitration Court, and now it is proposed to give them a new Tribunal, of which they know nothing. The Arbitrator may be some one whom they consider to have a bias against them, and they urge that if this Bill be passed they ought to be given a representative in the Court.

Mr. MAXWELL.—In an advisory capacity.

Mr. CHARLTON.—In any capacity, they ought to have a representative there.

Mr. MARR.—A clerical officer could not represent the postal officers.

Mr. CHARLTON.—There may be some difficulties of that kind, but any man from the Public Service has a better chance of knowing the general working conditions than has a man from outside. If I were to hear such cases I should have to be guided entirely by the evidence, and might make some mistakes in my ignorance of technicality. With the assistance of an employees' representative, however, such mistakes would be obviated. In my opinion the Bill is not necessary, and it would be much better to leave matters as they are.

Mr. FRANCIS (Henty) [5.47].—I should be sorry to say anything that might have the effect of creating industrial unrest or breaking down the present harmony of any employees' organizations, whether in the Public Service or outside. It seems to me, however, that at present there is a tendency on the part of Parliament to unnecessarily create new Departments; indeed, I have noticed that tendency in operation since this House assembled after the elections. The great bulk of the electors outside, who have had to bear the burden of the war, and are now called upon—and are responding very willingly—to find the money to fulfil our obligations to the soldiers, will not, I am afraid, submit to this increase in the public expenditure for long. Every day we read in the newspapers that this Parliament should, as far as possible, economize in every direction. The Country party and others were returned pledged to economy, and it is undoubtedly essential that economy should be practised, or the patience of the people, who have contributed splendidly to the present loan, will become exhausted in the near future. I do not desire to pit my experience against that of older members, but whether a man has been in the House for three months or three years, he cannot fail to have observed that one danger ahead is this tendency to unnecessarily create new Departments. During the last week or two we have had much discussion here on arbitration and conciliation and industrial matters generally, and there is no doubt that the destruction of our present arbitration system is involved—that has been the undercurrent throughout the debates. In this Bill we have another attempt to remove from the Arbitration Court a large body of men who do not approve of the step. Why should this new Department be created if the public servants deliberately declare that they are satisfied to work under the present conditions? It has been truly said that if the Government desire to relieve the present congestion in the Court, even a school boy could tell them that the proper plan is to appoint new Judges or deputies, and preserve the existent machinery. It is regrettable to me to have to oppose measures introduced by the Government, as I have had to do once or twice lately, but I should fail in my duty as a representative of the people if I did not take a firm stand on such an important matter as the unnecessary expenditure of the public money. The honorable member for Parkes (Mr. Marr) made a very weak attempt to justify this Bill.

Mr. RICHARD FOSTER.—It was a piece of necessary courage.

Mr. FRANCIS.—The honorable member is not the only one who regards the honorable member for Parkes as a courageous man—one of the best. However, we have the fact that a practically unanimous vote of the Public Service shows that they do not desire this legislation.

Mr. GROOM.—Where do you get the authority for speaking of a "practically unanimous" vote?

Mr. FOWLER.—Has the Government any evidence to the contrary?

Mr. FRANCIS.—I am prepared to say that the Government have no evidence to show that 85 per cent. of the Public Service is not against the present Bill, the only effect of which can be to break down the harmony which exists to-day.

Mr. RYAN.—Would the honorable member be prepared to support an amendment to postpone the Bill in order to afford an opportunity to the Public Service to express their opinions?

Mr. FRANCIS. — I favour allowing the public servants to remain under the provisions of the Arbitration Act; and, if there are thirty-three or 133 cases waiting to be heard, it is the duty of Parliament to provide the necessary Judges and whatever additional machinery may be requisite in order that public servants shall receive reasonably prompt justice.

Mr. MAKIN (Hindmarsh) [5.56].—I have never been able to understand, or see any justification for, Governments making laws in respect of private employers and employees, and being unwilling at the same time to include themselves and their employees within the scope of the same set of laws. It is an inconsistency. There are laws made for compulsory observance by private individuals, but the Government which has made those laws is unprepared to apply them to itself and to those whom it employs. Concerning the question whether any proof is forthcoming that the main body of our public servants do not desire to be withdrawn from the provisions of the Conciliation and Arbitration Act, I hold in my hand a document which represents the indorsement of that view by 30,000 public servants. Not only has the subject-matter of this document come before the executives of the various associations concerned, but it has been considered and approved also by the branches themselves. This memorandum was drawn up after due consideration, and, as I have said, has received branch, as well as executive, indorsement. It will be well for the Government, and honorable members generally, to heed the requests of this considerable body of public officials who desire to secure and retain no more than their just dues.

Mr. MARR.—What is the date of that document?

Mr. MAKIN.—It is dated the 27th July, 1920.

Mr. MARR.—That date is only five days later than the day on which the Bill was introduced in this Legislature.

Mr. MAKIN.—I have consulted with leading officials of the Public Service Association, and I have been assured that this memorandum has received the indorsement of branches as well as of the executive.

Sir ROBERT BEST.—What is the tenor of the memorandum?

Mr. MAKIN. — That the public servants do not desire to be withdrawn from the provisions of the Arbitration Act.

Sir ROBERT BEST. — Are they being withdrawn? This measure is practically the same as the Act.

Mr. MAKIN.—That is not so, for in this Bill the Government proposes to take to itself more direct control over the Arbitrator than it has ever had, or proposed to hold, over a Judge of the Arbitration Court. The Bill provides machinery for the re-appointment of the Arbitrator after a given number of years. It is only natural that, in such circumstances, the Arbitrator would be influenced to some extent by the consideration of his re-appointment. It is desirable that members of the Public Service should be placed in exactly the same position as ordinary "outside" employees who may desire to approach the Arbitration Court—a Tribunal which is absolutely impartial, is subject to no influence by the Government, and does not think, and would not think, of attempting to win favour with the Government by the nature of its judgments.

Mr. ATKINSON.—Under this Bill the Arbitrator will be in a very strong position. He would not need to study the views of the Government.

Mr. MAKIN. — As the Bill is now framed the Arbitrator may be regarded actually as a public servant. It is provided, for example, that he shall receive all the advantages accruing to an ordinary public servant in the matter of length of service. The position of a Judge of the Arbitration Court is one of independence. He can be influenced in no way by the Government of the day. Can the same be said of the Arbitrator to be

appointed under the Bill? In such circumstances it is obvious that before ever the members of the Public Service enter this new Arbitration Court, now to be imposed upon them, they may have their minds prejudiced. It is not desirable that we should set up a medium of arbitration in respect of which those who are to be compelled to approach it for the settlement of their claims will be prejudiced against their Judge. I emphasize that the public servants desire to remain where they are, within the scope of the Conciliation and Arbitration Act. They desire to retain the right to approach that tribunal just as freely and exactly in the same manner as ordinary private employees. Their circumstances, in the matters of wages, hours, and working conditions generally, are substantially the same as those of private employees. It would be unjust, therefore, to differentiate by setting up a separate Tribunal for each.

There are several provisions of the Bill which require amendment. The Arbitrator is to be given power to determine for himself what evidence he shall accept and what he shall reject. That implies that public servants may not be given opportunities which fairly should be theirs for preparing their case and demonstrating the justice of their claims. To a large extent they may be circumscribed by the views of the adjudicator concerning that which he may deem to be admissible evidence.

Sir ROBERT BEST.—There is nothing in the Bill to justify that statement.

Mr. MAKIN.—I invite the honorable member to study sub-clause 5 of clause 12, which definitely sets forth the powers of the Arbitrator respecting admission of evidence. If the Arbitrator should possess a prejudice against members of a certain branch of the Public Service he could be guilty of a grave injustice by ruling out evidence which they desired to place before him, so, at the same time, preventing the public from becoming acquainted with what they considered their just claims. The Bill proposes to give the Arbitrator power to make a common rule in the matter of overtime and with respect to other factors governing working conditions in the Service. Let us suppose that the Letter Carriers' Association is applying to the Arbitrator for an award in respect of working hours. Without calling evidence from other branches of the Service the Arbitrator might make a common rule so that the hours scheduled for the letter-carriers would apply to the whole of the Service. If power is to be given for the making of a common rule, the Bill should contain machinery to provide for the whole of the Service expressing itself in the matter of the basis of the proposed common rule. Thus only could injustice be prevented. Another point is that no costs are proposed to be allowed in respect of cases coming before the Arbitrator. It is to be presumed that evidence tendered on behalf of a Department will not come under that prohibition, but that witnesses for a Department will be paid out of Government funds. That is to say, public money is to be spent on behalf of one side only. In connexion with a Tribunal instituted in South Australia for the adjustment of wages and conditions applying to employees in the Railway Service, the wages, and all the expenses of witnesses for both sides, were paid by the Government. When the body which is defending a case is drawing from the public funds, it is only just that those who are prosecuting the claim should also have extended to them the privileges given by the Government of South Australia in similar circumstances. Sub-clause 3 of clause 20 provides that before awards shall be deemed to be authorized, they must lie on the table of Parliament for fourteen days, and if Parliament is in recess at the time a determination is arrived at, the award must be placed on the table when it re-assembles. Thus many months may elapse before an award becomes operative, and in the meantime the public servants are deprived of any benefits it bestows. In Committee I shall move an amendment to secure to public servants the benefits of an award from the date of its determination.

Mr. GROOM.—It has already been pointed out that awards can be made retrospective. In one case an award was given in October, 1919, but was made retrospective to 1st August, 1919.

Mr. MAKIN.—But this sub-clause seems to be very definite, and does not convey the impression that awards may be made retrospective. When the Minister is dealing with this particular provision I hope that he will make a statement as to how long public servants will be required to wait for their money, from the time an award is given until Parliament meets.

Mr. GROOM.—That is another matter. All awards must await the decision of Parliament. That is already the position in regard to retrospective awards.

Mr. MAKIN.—It is quite patent that a claim for increased wages is based on an increase in the cost of living and the economic conditions prevailing at the time. If public servants are not to receive the advantage of an award until months afterwards, it is quite natural to assume that they will fall into arrears financially. Every person likes to know exactly where he stands. When honorable members of this House felt the necessity for an increase in their allowance it did not take them very long to determine whether they were to receive it.

Mr. WEST.—Leave that subject alone.

Mr. MAKIN.—I was one who supported the increase, and tender no apology for so improving the condition of public life, which was done with the hope of improving the standards of efficiency and morale in our institutions of government; but I say candidly and emphatically that what we were prepared to do unto ourselves, so we should be prepared to do unto others. I would, as it were, apply the Golden Rule to political life. We ought to be just as eager to do justice to our servants as we are to do justice to ourselves. It is my desire that the conditions of life governing the work of legislating for this country should be a standard to be enjoyed by the Public Service and the community generally. However, I shall reserve any further remarks until we reach the Committee stage. I content myself by voicing my protest against the Bill, because it seeks to deprive the public servants of the Commonwealth of their right to share in the forms of arbitration provided for those outside the Service, and have their claims heard by neutral tribunals free from any prejudicial influences and subject to no interference, which will hold the scales of justice evenly, and determine all claims before them on the evidence produced regardless of any pressure that might be attempted to be brought to bear on them, and doing only that which is right, and in keeping with the principles of justice.

Mr. RILEY (South Sydney) [6.19].—I cannot understand the attitude of the Government in regard to this Bill and the necessity for it. First we were told that with the object of relieving the congestion at the Arbitration Court, Boards would be appointed to deal with industrial disputes, and a Bill was passed through this House providing for the creation of those Boards, which the Prime Minister (Mr. Hughes) assured us would deal with at least 50 per cent. of the cases that now go before the Arbitration Court. Then we amended the Conciliation and Arbitration Act, and gave the President of the Arbitration Court power to vary awards, thus obviating the necessity for submitting fresh plaints and creating further disputes. All that legislation has tended to relieve the pressure on the Arbitration Court. The main reason given by the Government for the introduction of the Bill is that it will settle a large number of cases concerning the Public Service now set down for hearing in the Arbitration Court, and give those concerned facilities to get a decision more promptly. In the circumstances the Government might just as well wait for a time to see how the Arbitration Court works under the amended arbitration law, and to see also the effect of the new Tribunals to be created under the Industrial Peace Bill, before they force the public servants into a special Court.

Sir ROBERT BEST.—The Prime Minister said at the same time that the Tribunals were emergency bodies.

Mr. RILEY.—Yes, but they will relieve the pressure on the Arbitration Court. If that is not the object of the Industrial Peace Bill, it is of no use at all. I am sure that it will relieve the Arbitration Court. The Government now propose to appoint a special Court to deal with the cases of Public Service employees. If they establish the principle that a special Court and a special Judge must deal with the employees of the Commonwealth, they must go a little further by establishing a special Court to deal with each industry. The coal-miners have already taken the opportunity to come under a Tribunal on the lines of those to be created by the Industrial Peace Bill. If one man must be engaged wholly and solely on Public Service arbitration cases, I, as a member of the building trade, claim that that trade is important enough to justify the appointment of a special Judge to deal with it only. There are carpenters, bricklayers, plumbers, plas-

terers, and other sections of workers concerned in it. Let one man specialize in building trade matters, if the arguments of the Government are sound, because as much technical knowledge is required to deal with that trade as is necessary in the case of the Public Service, and even more, as any one knows who, like myself, has been in the trade, and realizes the various technicalities that must be mastered before an award can be drawn up. If it is right in the case of the Public Service, and if it may be right in the case of the building trade, why not appoint another special Judge to deal with all the branches of the leather industry, such as tanning, saddlery, and harness making, boot making, and other technical operations of that particular branch of industry? There are hundreds of different technical matters to be mastered in connexion with the leather industry. We should also have a special Judge to deal with the iron trade, including moulders, engineers, fitters, brass finishers, and brass moulders. Then there is the shipbuilding trade. Why not appoint a special Judge for every avenue of industry, if the principle of this Bill is right, and so make the whole thing ridiculous? I do not say that the principle of the Bill is right. Why not have another special Judge or Arbitrator to deal with the clothing trade? Why should the Public Service be picked out for a special Judge and Court to deal with its cases only? There is some ulterior motive behind that we do not understand. What is the reason?

Mr. GROOM.—It is most improper of the honorable member to suggest an ulterior motive for the Bill.

Mr. RILEY.—I do suggest it. The Minister has no doubt read Mr. McLachlan's report. That will suggest it to him. Is that report the basis on which he has drawn up this Bill?

Mr. GROOM.—We are introducing an Arbitration Bill for the Public Service. Is the honorable member against arbitration?

Mr. RILEY.—The Government are cutting the wings of the Public Service by preventing them from going to the proper Arbitration Court.

Mr. GROOM.—Nothing of the sort. We are giving them a Court.

Mr. RILEY.—That is their impression, and the impression of the public, too.

Mr. GROOM.—There is nothing to justify the honorable member in making an unfair and improper suggestion.

Mr. RILEY.—That is what is in my mind, and I have the right to express it. There must be some motive behind the Bill. If the Government want to give the employees of the Commonwealth a fair deal, and they are entitled to it, why not let them continue to go to the Arbitration Court proper?

Mr. GROOM.—Under this Bill they will get the best and fairest deal possible.

Mr. RILEY.—Any Judge who sits in the Arbitration Court hears cases in all sorts of trades outside the Service, and his experience tends to broaden his views so far as industrial matters are concerned. He does not have to deal with cases only from a Public Service point of view. He is not in a narrow circle where he is compelled to decide a question from the point of view of its effect on the Public Service only. His eyes are not fixed only on the Service. He takes a broader view of things. He knows the conditions of industry outside. He is, therefore, a Judge with general knowledge, and the employees in the Public Service are far more likely to get a fair deal from him than from a man who is surrounded by red tape, and all the time under the eye of the Government. Another objection is that if a separate Court is created, and a special Judge appointed to deal with the Public Service, it means building up another Department.

Mr. GROOM.—We are doing nothing of the sort. This Bill does not provide machinery for any such purpose.

Mr. RILEY.—We all know what happens. If the Government appoint a separate Judge, he must have a tipstaff, a clerk, and a typist, and he will gradually gather a Department around him. I am afraid of these growing Departments. We all see that the Public Service is growing to an enormous extent. Every Bill we pass seems to multiply the number of Government employees, and I regret the tendency very much. Here is a simple way out of the difficulty. We have an Arbitration Act in operation, and an Arbitration Court at work. All that is necessary is for the Government to say, "We will allow one Judge to take all the Public Service Arbitration cases until he wipes out the lot of them."

Mr. GROOM.—The honorable member has just argued that if we put one man

on that job he will be narrow-minded, and not able to deal with the cases properly.

Mr. RILEY.—I said that the Judges of the Arbitration Court have to deal with other cases, and will know the circumstances outside the Service. When the Judge who is specially detailed to finish off the Public Service Arbitration cases has completed the work, he can go back to the hearing of cases affecting other branches of industry. If one man is set aside to hear Public Service cases only, as this Bill proposes, he will not be doing the best thing in the interests of the country. We should not look upon those employed in the Public Service as our servants. They are the employees of the Commonwealth Government, and they have a right to the same justice as outside employees have. They are entitled to be brought under the same law, and to gain the same advantages, as any other employees in the country. If it is a fact, as it is, that there are thirty-three arbitration cases affecting the employees of the Commonwealth awaiting a hearing, surely those concerned deserve better treatment than to be brought under a separate Court. They have been waiting all this time, with the cost of living going up, as it has been, and have shown great patience, and we ought to give them every consideration. They tell us that they do not want to come under any other Court than the Arbitration Court, and we certainly ought to pay attention to their views. They have the best knowledge of their own requirements and feelings. One big organization, representing over 30,000 Government employees, has sent a circular to all members protesting against the proposed change, and asking to be allowed to remain under the Arbitration Court. Surely we can give some consideration to the request of those who are most affected. Can the Government show me, or the House, any advantage that will be achieved by this Bill? All it will do will be to put the employees of the Commonwealth under a particular Judge, who will himself become a public servant, and who will not be called upon to discharge any other duties. In the circumstances, it is a mistake to press the Bill.

Sitting suspended from 6.30 to 8 p.m.

Mr. RILEY.—The appointment of two assessors to assist the Arbitrator would be an improvement. It is a dangerous principle to confer on one man, who will not have the same status as a Judge of the Arbitration Court, authority to decide all matters affecting the Public Service generally. I think I am right in saying that employees in the Public Service are against the measure, but if it must be passed, they would like to see two assessors, men from different branches of the Service, appointed to assist the Arbitrator. The Minister might concede this point to the Public Service.

There is another objection to the Bill. It is provided that a determination must lie on the table of the House for, I think, thirty days, and it might happen that the Parliament would not be in session.

Mr. GROOM.—That principle is embodied in the 1911 Act.

Mr. RILEY.—That does not justify its inclusion in this measure, especially in view of the fact that an award made by the Arbitration Court in respect of matters outside the Public Service becomes operative immediately. Why should not members of the Public Service be on the same footing? I see no justification for this provision.

Sir ROBERT BEST.—A determination may be made retrospective.

Mr. GROOM.—Awards of the Arbitration Court may be made retrospective. What the honorable member is contending for is the law to-day.

Mr. RILEY.—I am glad of the Minister's assurance, because it removes one more objection to the Bill.

Mr. GROOM.—That is the position to-day. I have before me a record of an award made by Mr. Justice Powers on 1st October, 1919, and made retrospective to 1st August, 1919.

Mr. NICHOLLS.—But the Minister's statement does not necessarily prove that all awards will be made retrospective.

Mr. GROOM.—Every question must be decided on its merits. This is a matter which must be left to the Judge to decide.

Mr. RILEY.—The honorable member for Parkes (Mr. Marr) said he was opposed to the appointment of two assessors from the Public Service because those in the Clerical Division might object to a nominee from the General Division or the mechanical branch. His objection

really is groundless, because in New South Wales the State Arbitration Court has authority to deal with every industry in that State, and assessors are appointed by all the unions that have access to the Court. The first assessor was elected from the Seamen's Union, the second from the building trades, and so on. These men were required to assist in determining issues affecting the mining industry, carpenters, engineers, and many other trades. I have no fear about the result if employees in the Public Service will have the right to select representatives to sit as assessors with the Arbitrator, because while some may be engaged in the higher grades of the Service, all are wage-earners. The measure should be referred to the Public Service to give its members an opportunity of indicating whether they approve of it or not. I shall oppose the second reading.

Mr. ATKINSON (Wilmot) [8.6].—I must confess that I approach the consideration of the Bill with a certain amount of diffidence. Everybody desires to see peace within the Public Service, but, judging from the tone of the debate, there appears to be some doubt as to whether the Service ought to be removed from the jurisdiction of the Arbitration Court or not. If there is any pronounced objection to the Bill, it would be a waste of time to proceed with it, but I do not think the public servants will be seriously prejudiced if cases affecting the Service are decided by a properly selected Arbitrator instead of a Judge of the Arbitration Court as at present.

Mr. RILEY.—Members of the Public Service ought to be the best judges of that matter.

Mr. ATKINSON.—Possibly, and I admit that so far as the successful administration of the Bill is concerned, a great deal will depend upon the person to be selected as Arbitrator. His appointment will be for a period of seven years; but I think that if he had the security of tenure enjoyed by a Judge he would probably act with a little more firmness, and might resist any temptation to ingratiate himself with the authorities in order to secure re-appointment. Then, again, there is the question of the assessors. I approve of the principle, and if anything is going to be done to give effect to it, I would suggest that the Minister (Mr. Groom) make provision at once, so that when the Committee stage is reached there will not be any danger of an amendment being ruled out of order. The Arbitrator will occupy a strong position, and I think it would be as well for the Minister to consider certain amendments that appear to be desirable. For instance, the Arbitrator will have the right to determine the nature of the evidence to be admitted.

Sir ROBERT BEST.—And has not every Judge that power?

Mr. ATKINSON.—The Arbitrator will exercise all the powers of an ordinary Judge, and be able to reject irrelevant evidence, but I think it quite possible that one side or the other might be prejudiced by the exercise of this power. Altogether, it seems to be a new principle, and might cause trouble.

Then, again, clause 16 contains a provision that the Arbitrator need not be restricted to a specific claim or to the subject-matter of a claim, but may include in his determination any other matter which he thinks necessary in the interests of the public or of the Public Service. This principle, I think, might conflict with decisions of other authorities. For instance, I believe it is intended, in another measure, to provide for the appointment of a Board of Management, and it is quite possible that the activities of that body might be seriously hampered by determinations of the Arbitrator under clause 16. These are, however, matters that can best be dealt with in Committee, but I think the Minister would be well advised to give consideration to them at this stage, and particularly the question of appointing two assessors.

Sir ROBERT BEST.—Do you mean permanent assessors?

Mr. ATKINSON.—They need not be appointed permanently. They could be selected from time to time from those branches of the Public Service that might be more directly concerned in particular cases, and I feel satisfied that they would be of very material assistance to the Arbitrator.

Mr. WEST.—The Public Service would rather have the present Arbitration Court than this riddle.

Mr. ATKINSON.—Possibly that is so, but as I have already said, I do not think the Public Service will be seriously prejudiced by the appointment of an Arbitrator. If there is a section of the Service which considers that it ought to have

its conditions altered it has only to file a plaint or memorial, and proceed to state its case. The Arbitrator then gives to the Minister or Commissioner notice concerning the points on which objections have been raised when a conference is called. Apparently at such conferences it is intended, as far as possible, that many of the points of dispute shall be cleared up, and that the Arbitrator shall settle those on which they do not agree. It is at this stage that the Arbitrator will be able to say whether certain evidence is necessary or not. I do not know whether it is altogether wise to allow the word "necessary" to remain, because without it the Arbitrator would have power to reject irrelevant evidence.

Mr. NICHOLLS.—He should not have the power to reject any evidence.

Mr. ATKINSON.—An Arbitrator always possesses certain implied powers of that character, and perhaps no reasonable objections can be raised on that account. I do not think that the members of the Civil Service are likely to suffer by being excluded from the Arbitration Court. They will certainly possess the distinct advantage of having their cases dealt with more expeditiously than if they went to the Arbitration Court. While I am not altogether enamoured of the Bill, I do not feel disposed to vote against the second reading.

Mr. RYAN (West Sydney) [8.18].—During the second-reading debate honorable members have had the opportunity of perusing a considerable quantity of correspondence, and some useful communications, from the different organizations included in the Commonwealth Public Service. I think every honorable member will admit, notwithstanding the comments that have been made, and the reports referred to in the House this afternoon, that the Commonwealth public servants are a very capable, patriotic, and obliging body of workers. Honorable members who have preceded me on the second reading of the Bill have not only dealt with its principles, but have also suggested amendments it may be desirable to move in Committee. I do not propose to labour the second aspect of the matter, because I think it has been very fully and clearly dealt with by honorable members on both sides who have preceded me, including the Leader of the Opposition (Mr. Tudor), the honorable member for Hunter (Mr. Charlton), the honorable member for South Sydney (Mr. Riley), and the honorable member for Hindmarsh (Mr. Makin). I desire to say in passing that the amendments from the Commonwealth Public Service Association are very useful, and embody suggestions which I hope the Government, if this Bill gets into Committee, will earnestly consider.

I am more concerned with the reasons for introducing the Bill. Why is it necessary to remove the Commonwealth Public Service from the jurisdiction and protection of the Commonwealth Court of Conciliation and Arbitration? Why is this step being taken? Why is this being done at a time when we are told that Parliament should be occupied with urgent measures affecting the public interest? Seeing that we are dealing with it at this stage of the session, the Government evidently consider that this is an urgent measure. I have not heard reasons advanced that will convince me that there is any urgency in the matter, and I am satisfied that this is a Bill which should be resisted by honorable members. We must not forget the circumstances under which the Commonwealth public servants were placed under the jurisdiction and protection of the Commonwealth Court of Conciliation and Arbitration. They were placed under the protection of that Court by the Act of 1911, and at that time very cogent reasons were given by the present Prime Minister (Mr. Hughes) why that particular measure should be passed. There are one or two portions of the Prime Minister's speech to which I would like to call attention, because they are very appropriate at the present juncture. I am referring to a speech which appears in *Hansard*, volume 63, page 3631-2, where the Prime Minister was speaking on the Bill, passed in 1911, and which we are now practically repealing. The Prime Minister was then Attorney-General, and he said—

> The Bill rests upon the foundations of a sound principle. There is the right of appeal from the Public Service Commissioner to an impartial Tribunal; and there is the review of his decisions by the Parliament. The right to veto is one of which we ought not to try to divest ourselves. The public servants of this country have the assurance that their grievances will be investigated by an indepen-

dent, impartial Tribunal, and that, subsequently, this House will, if necessary, exercise its right of supervision and veto. They are, therefore, given the assurance that the representatives of the people will see that they get fair play. The public servants need not go to this Court unless they like. If, as we are told, they are satisfied with the Public Service Commissioner they will not go near the Court; but, if they are not, they will; and I feel sure we shall not be much older before they do go there.

This measure is urgent in many respects. It will cover 35,000 men who at present have absolutely no means of appealing from the decision of the man who employs them, which is a right denied to no other worker in Australia. No man that works for an employer in Australia is denied the right to go somewhere else over the head of the employer and ask, "Am I being treated justly? Are my rates of pay and conditions of labour those which ought to obtain?" The 35,000 public servants of the Commonwealth alone are denied that right, and are now being given it. Perhaps they do not appreciate it; but I say to them deliberately that it is a right of which, when they exercise it and experience its virtues, they will be found to be zealous champions.

Sir Granville Ryrie.—That will all apply under this measure.

Mr. RYAN.—No. The Court is forbidden by this measure from making any award affecting the Public Service. The Commonwealth public servants, whom the Prime Minister said would become zealous champions of the Act, are now being removed from the jurisdiction of the Court, and it behoves us, as guardians of the public interests, including the interests of that great body of public servants, to examine the reasons for this move, to understand the circumstances and why steps are being taken by the Government in this direction.

The first point I propose to examine is the circumstances that call for a change, and why a different policy is being adopted. Has the Minister who introduced the Bill or the Prime Minister placed anything before us to indicate the necessity for a change? We are told that an Arbitrator is required who has an intimate knowledge of the different laws and regulations governing the Public Service, and who will be able to thread his way through them and give decisions that will not conflict with one another or with existing regulations. That has been put forward as one reason, but, if there was any difficulty in that regard, it could be overcome by assigning Public Service matters to a particular Judge, who would make himself fully acquainted with all the details and ramifications of the Public Service. But that is not the real reason. The fact is that those who originally opposed the measure that was introduced in 1911 are responsible for the change that is taking place to-day. Those who informed public servants and Parliament in 1911 that the public servants were satisfied with the Commissioner are the ones who are desirous of getting back to the old state of affairs. This Bill is taking the Commonwealth Public Service back to its original state.

Mr. Richard Foster.—The honorable member is wrong there.

Mr. RYAN.—I propose to show shortly that such is the case, because the so-called Arbitrator—he may be called any euphemistic term—will really be a dictator, although the Minister said that he will hold an impartial position. This Bill takes away from the public servants the right to approach the Commonwealth Court of Conciliation and Arbitration, and hands them over to the jurisdiction of some person who is not clothed with the same powers as a Judge of the Commonwealth Arbitration Court. The proposed Arbitrator may accept such evidence as he deems necessary and may not make any allowance for the expenses incurred in calling witnesses whose evidence may be essential to enable him to come to a conclusion. That is a very drastic amendment of the law. If the Government contemplate, as I believe they do, taking away the Commonwealth public servants from the jurisdiction and protection of the Commonwealth Court of Conciliation and Arbitration, they can do so and hand them over to an Arbitrator. But the mere fact of calling him an Arbitrator does not make him one in the same sense as the Court is. We must not be led away by terms, and we have to examine the Bill to see what powers the Arbitrator is given. Who is he to be, and what salary is he to be paid?

The Bill is very drastic, and deals in no unmeasured terms with the Act of 1911. The Commissioner, referring to that Act, on page 19 of his report, said—

> From a careful and unbiased study of the whole position I am convinced that the continuance of this Act upon the statute-book is likely to be fraught with the most serious

and disastrous consequences to the future Public Service management as regards discipline and efficiency, while the cost to the country will be such as to inflict an unjustifiable and grievous burden upon the taxpaying community.

Is this the reason for the introduction of the Bill? Is it because Mr. McLachlan reports in this way that the Bill is introduced? Is it to take away the protection that was given to public servants by the Act of 1911? Mr. McLachlan on the following page of his report goes on to say—

> This all points to the necessity for arbitral functions as regards the Public Service being removed from the Commonwealth Arbitration Court and vested in an authority with undoubted knowledge of the organization and management of the departmental Service—an authority capable of dealing with and determining the claims both of Departments and the employees of those Departments.

Further on he reports—

> In this connexion provision would be necessary for submission to the Parliament of any determination arising from the exercise of arbitral functions by the Public Service Commissioner which the Government found itself unable to accept for reasons of policy or otherwise.

We do find in this measure provision for submitting similar cases to Parliament, so that this report in some respects has been worked upon by the Government in the framing of the Bill. I think I am justified in coming to the conclusion, which, after all, is only a common-sense one, that it is because of this report that the Government are taking this action with regard to the public servants of the Commonwealth.

This is a much bigger amendment of the Public Service (Arbitration) Act than it would appear to be at first sight. The public servants of the Commonwealth will find when this measure is in operation—I hope that I am mistaken—that the Tribunal for which it provides is a very different proposition from the existing Commonwealth Court of Conciliation and Arbitration. It is significant that when the Bill of 1911 was before the House certain honorable members now on the Ministerial side voted against its third reading. The honorable member (Mr. Atkinson) who has just resumed his seat was one of them. He was always opposed to the principle, and I do not wonder at his speech to-night in favour of this Bill. The honorable member for Wakefield (Mr. Richard Foster) also voted against the third reading of that Bill.

Mr. Richard Foster.—Of course I did. I have always been opposed to the principle, and will vote again in the same direction.

Mr. RYAN.—It is just as well that we should call attention to these facts. It will be found that those who are moving behind this Bill, and who are anxious that it should be passed, have always been opposed to Commonwealth servants having the right to go to the Commonwealth Conciliation and Arbitration Court.

Mr. Atkinson.—And a good many of the Labour party were also opposed to the Bill of 1911.

Mr. RYAN.—No.

Mr. Atkinson.—They spoke against it.

Mr. RYAN.—No; I have before me the record of the division on the motion for the third reading of that Bill, and all the members of the Labour party voted for it.

Mr. Atkinson.—I was certainly against it.

Mr. RYAN.—The honorable member did not mention that fact when he was speaking a few minutes ago. The honorable member for Kooyong (Sir Robert Best), who interjected a little while ago that this was an entirely different measure, also voted against the Bill of 1911, as well as the present Treasurer (Sir Joseph Cook), the Minister for Trade and Customs (Mr. Greene), the Leader of the Country party (Mr. McWilliams), and the Assistant Minister for Defence (Sir Granville Ryrie).

Sir Robert Best.—Of what is the honorable member complaining? There were others who voted against the third reading.

Mr. RYAN.—I am merely giving the names of those now supporting this Bill who were opposed to the original measure of 1911. I do not wonder that they are anxious to continue the attitude which was then taken up by, not only them, but the Commissioner who made the report to which I have been referring. They were always opposed to Commonwealth servants having the right of other workers to go to the Court.

Mr. Atkinson.—Does not the honorable member think that he would make his case stronger by showing that public

servants are going to be prejudiced by this Bill?

Mr. RYAN.—I shall put my case as I think fit. In examining this Bill it is just as well that we should have all the facts. When trying to establish a crime, one has always to look for a motive for it.

Mr. MAXWELL.—But the first thing is to establish the crime.

Mr. RYAN.—That having been done, nothing more remains to be established.

Mr. MAXWELL.—But the honorable member has not established the fact that a crime has been committed by some one.

Mr. RYAN.—I am taking up a certain position with regard to this measure. I assert that the House will deal unfairly by the public servants of the Commonwealth if it removes them from the jurisdiction and protection of the Commonwealth Court of Conciliation and Arbitration. I am showing that this Bill is different from that which was passed in 1911. I am showing the circumstances in which the change is being made. This proposal is brought forward after a most damning report against the Act of 1911, and the most active supporters of this Bill to-day are those who voted against that measure.

We have been told this afternoon that some honorable members of the Ministerial party really do not know whether or not the Commonwealth Public Service wants this Bill. They are inclined to think that, perhaps after all, they do not want it. The honorable member for Wilmot (Mr. Atkinson) says that he does not think that they will be very seriously prejudiced by it. Why should we take the risk of prejudicing them at all?

Now that the measure has been discussed, we should give the public servants of the Commonwealth an opportunity of expressing their views upon it, and so ascertain whether or not they wish to be taken from the jurisdiction and protection of the Conciliation and Arbitration Court. Some of our honorable friends opposite said they would never be a party to tearing down any stone in the temple of Labour. We were told by them that no stone in the temple would be torn down. This is one of the stones in the temple of Labour, and before it is torn down we should at least let those who are most affected have an opportunity to express their views upon the proposal of the Government. With that object I move as an amendment to the motion for the second reading of the Bill—

> That the following words be inserted after the word "now":—"withdrawn for the purpose of affording an opportunity to the members of the Public Service of indicating whether they desire to be removed from the jurisdiction and protection of the Commonwealth Court of Conciliation and Arbitration as proposed by the Bill."

I shall not delay the House longer; I content myself by moving this amendment, which, I think, is entirely reasonable. It is certainly one that ought to be carried if the House has a proper sense of the justice that is due to the great body of the public servants of the Commonwealth.

Mr. NICHOLLS (Macquarie) [8.40].—I second the amendment. I am opposed to the Bill; but if it is to be brought into operation I desire that it shall be so framed as to give the best possible results. There is one point concerning which I should certainly like an explanation from the Minister in charge of the Bill (Mr. Groom). When the honorable member for West Sydney (Mr. Ryan) was speaking I understood the Minister to interject that all awards made under this measure would be retrospective.

Mr. GROOM.—No. I said that the Judge would have power to make a retrospective award.

Mr. NICHOLLS.—I wish to be clear on the point. The Minister in charge of the Bill seems to raise no objection to an award being made retrospective. If that is so, will he agree to insert in the Bill a clause providing that every award shall be retrospective?

Mr. GROOM.—Certainly not.

Mr. NICHOLLS.—Then the honorable gentleman cannot give us an assurance that the Government will even assist in the granting of a retrospective award. On the contrary we are to understand that they will oppose every such claim. The honorable gentleman knows that in only exceptional cases—cases in which prior to the submission of the claim a dispute had taken place—has the President of the Court of Conciliation and Arbitration made an award retrospective.

Mr. GROOM.—Does the honorable member think that this Parliament should do that which the learned Judge thought it was not right to do?

Mr. NICHOLLS.—This Parliament should do the right thing. The great majority of our public servants have not approached the Court for five or six years, and, that being so, we should not hesitate to insert in the Bill a clause granting each and every individual who appeals to the Court the right to secure a retrospective award. I have had a recent experience of the generosity of this Government in dealing with awards. I know of a case where a private employer is compelled to pay the basic wage laid down by the Board of Trade, whereas Government employees do not come within that decision, and the Government have made no pretence of agreeing that the award shall be made retrospective when the union concerned appeals to the Court. The position will be the same in regard to the Public Service generally.

I have been connected with Arbitration Courts for quite a number of years, and am satisfied that this Bill offers public servants no advantage which could not be secured by an appeal to the Court at the present time. There is some ulterior motive for the introduction of this Bill. Honorable members opposite have something in their minds with regard to it. There is a desire either to get rid of a particular Judge or to give some individual an opportunity to take the position of Arbitrator.

Mr. McGRATH.—Do you think that the position is to be given to a defeated member?

Mr. NICHOLLS. — An ex-member might possibly have a knowledge of the affairs of the Commonwealth Public Service. If public servants were agreeable to the Bill, there would be no ground for complaint. The position is, however, that not one Public Service organization in operation at the present time believes that the Bill will prove to be in the interests of public servants. The Clerical Association, the Letter Carriers Association, the Postal Sorters Union, the Post and Telegraph Association, the Postmasters Association, the Federated Postal Sorters Assistants Association, the Customs (General Division) Officers Association, the Telephone Officers Association, the Postal Electricians Union, and the Postal Linesmen's Union are opposed to the measure, because they believe they will derive more satisfaction from the right to appeal to the Conciliation and Arbitration Court than they are likely to secure under it. The associations to which I have referred are associations of workers in the true sense, and their members as workers have as much right to approach the Arbitration Court as a pick and shovel man has.

The honorable member for West Sydney (Mr. Ryan) mentioned that possibly the Bill was introduced on the recommendation of Mr. McLachlan, the ex-Public Service Commissioner, who recently reported on the Service. If honorable members analyze Mr. McLachlan's report they will find that he has done grave injustice to many members of the Public Service. He has submitted a voluminous report condemning the Public Service in every way, asserting that there is mismanagement in every Department, that nothing is done as it ought to be done, that there is neglect, evasion of duty, impudence, and everything else to be charged against public servants, and no one has been given an opportunity to refute those slanderous statements. The case of the Government is particularly weak if the Bill really has been introduced on the strength of Mr. McLachlan's report.

Let me deal briefly with one or two of the clauses of the Bill.

Mr. SPEAKER (**Hon. Sir Elliot Johnson**).—I must ask the honorable member not to discuss the clauses of the Bill on the motion for the second reading.

Mr. NICHOLLS.—I shall not do so, but I intended to do so had you not reminded me of the rule. Under this Bill the Public Service Arbitrator may say what evidence he will receive. He has the right to set aside evidence with which he disagrees. Under the existing law the Arbitration Court will receive evidence from any person who has evidence to submit in connexion with any particular claim. It should be remembered that there is a certain amount of expense involved in submitting evidence to an arbitration Tribunal, but there is no guarantee that associations of employees in the Public Service will be allowed any expenses in connexion with the hearing of cases under this Bill. An association may be called upon to send a representative or a number of representatives over a considerable area, and may thus be

involved in a substantial sum for expenses, but there is no provision in the Bill for the payment of expenses incurred by associations.

The Arbitrator may take evidence in connexion with a particular matter in only one locality, and upon that evidence he may make his finding a common rule. He may take evidence, for instance, in Melbourne, and although the conditions prevailing here may not be similar to those prevailing in other parts of the Commonwealth, he may make his decision, based upon the evidence of Melbourne conditions, a common rule applicable to Sydney and other centres of the Commonwealth. After the Arbitrator has taken evidence in a case, and given his decision, it is provided that thirty days shall elapse before his finding is given effect. It has to be brought before Parliament, and it is possible that Parliament may not be sitting for six months after the finding of the Arbitrator is arrived at. There is no guarantee under the Bill that the public servants affected by a finding will receive back pay if there is delay in giving it effect. That is one of the reasons why I have asked the Minister in charge of the Bill if he will consent to the insertion of a clause providing for the retrospective operation of all awards by the Public Service Arbitrator. I may mention that in some cases twelve months have elapsed from the pronouncement of a decision by the Arbitration Court or a Wages Board before those affected by it have received the benefit of it.

There is another matter of importance to which I ask the serious consideration of the Minister. Every member of the Public Service in the division or branch affected will, under this measure, be entitled to any benefits secured by any organization within the Service, irrespective of whether he is a member of the organization or not. I mentioned some time ago that if a person is not prepared to join an organization established to improve the conditions of the Service in which he is employed, he should not be allowed to participate in the benefits of an award secured by the efforts of that organization. There are many public servants who go to work with a collar on who consider that their dignity would be lowered by joining a union. Many of them would be very much insulted if they were called upon to join a union. If those people are so dignified as to stand aloof from the unions within the Service they should also be sufficiently dignified to refuse to benefit by awards secured by the efforts of those unions. I ask the Minister to carefully consider the advisability of introducing a provision to prevent any public servant benefiting from any award increasing wages who refuses to join an organization.

Mr. GROOM.—Is the honorable member's objection to the Bill the fact that it does not contain such a provision?

Mr. NICHOLLS.—It is one of my objections to the Bill. I am asking the Minister, as an act of justice, to prevent any public servant participating in the benefits of any award obtained under the Bill as the result of the efforts of an organization if he refuses to join that organization.

Mr. JOWETT.—If he refuses to do what?

Mr. NICHOLLS.—If men will not join an organization established to better their conditions, they have no right to participate in any benefits secured by the organization, whether it be a graziers union or any other union.

Mr. JOWETT.—Should they have the right to live at all?

Mr. NICHOLLS.—I have no objection to their living, but I do object to them living on the sweat of other persons. I object to them getting their living as the result of the labours of other people. If they are not prepared to make the same sacrifices as others for the betterment of their conditions they have no right to enjoy better conditions. I hope that the Minister will seriously consider this question, and that if it is at all possible he will debar public servants from enjoying any benefits under this Bill if they are not prepared to join organizations within the Service.

Mr. GROOM (Darling Downs—Minister for Works and Railways) [8.55].—Obviously, I must oppose the amendment. If the honorable member for West Sydney (Mr. Ryan) were in the Queensland Parliament, do honorable members imagine for a moment that he would consult the pastoral lessees of Queensland before action was taken to deprive them of rights which they enjoyed under contract by law? Do honorable members

think that he would consult the pastoralists whose meat he commandeered at certain low prices before he decided to take that action? He is now asking the House to introduce an extraordinary principle in legislation. Do honorable members think that before he decided to fix the price of the Queensland farmers' butter he would ask them whether they approved of what he proposed to do?

Mr. MAXWELL.—Surely the honorable member does not say that the two things are alike.

Mr. GROOM.—No, but the principle involved is the same. It is that before a Bill is introduced dealing with the rights of persons under the existing law the persons affected should be first consulted. There is no distinction in principle. I am sure that the public servants of Australia would never put such a request to the Commonwealth Parliament. The honorable member who has moved the amendment is always suggesting ulterior motives to the Government. May I ask him what is the motive behind his amendment?

Sir ROBERT BEST.—That is more to the point.

Mr. GROOM.—It is more to the point. However, let us get to the merits of the question. I intend to reply to various aspects of the discussion. First of all, the honorable member for West Sydney (Mr. Ryan) charged us with taking away from the public servants under this Bill something which at present they possess under the Arbitration (Public Service) Act. He says that this Bill is different from that Act. What are the differences? The honorable member has not given the House a single illustration of a difference between the two in support of his statement. I followed his speech closely and critically, and jotted down the points he made as he went along. He said that the Bill will not give the public servants their costs. Obviously, he has not read the Arbitration (Public Service) Act which is in force at the present time. It is provided by section 11 of the Arbitration (Public Service) Act of 1911 that "no costs shall be allowed in respect of any proceedings under this Act." That section is reproduced in this Bill, yet he says that this measure is entirely different from the existing Act, and apparently refers to the fact that costs are not allowed the public servants under it as one of the differences. As a matter of fact, this Bill is the Act of 1911 almost in its very words, clause for clause, with the exception of two clearly defined principles, which I shall mention.

It is proposed under this Bill to appoint a Public Service Arbitrator instead of asking one of the Judges of the Arbitration Court to exercise jurisdiction in Public Service cases. That is a distinct issue before the House. Is it right that we should make that particular appointment? I shall give reasons why it is proposed. First of all, let me say that the Government, in introducing the measure, have been actuated by none of the sinister motives suggested by the honorable member for West Sydney. The Bill is not introduced because of any lack of appreciation of the efforts of public servants. I was closely associated with the Public Service from 1917 onwards, during the war, and I say that we have reason to be proud of a great deal of the work done by the public servants of the Commonwealth. I know heads of Departments who, during the war, in their devotion to duty, took their beds into their offices, and for weeks on end never left their offices. I am glad to find that, apparently, honorable members opposite have the same appreciation of the public servants that we have. Our desire is to do justice to them, to give them the benefit of fair standards, but those standards should be good and consistent, and should tend to the efficiency of the Service.

We are not taking away from the public servants any of the rights and privileges to which the honorable member for West Sydney referred. All the rights they possess under the Arbitration (Public Service) Act 1911 are preserved to them. The only difference is that the determination of the rights of the public servants is to be left to the decision of a Public Service Arbitrator, whose sole function will be to deal with these matters which to-day are the subjects of some varying decisions by different Judges. All that can be done by a Judge of the Arbitration Court in regard to rights, privileges, conditions, and everything else in connexion with the Public Service may be done equally well by the Arbitrator.

Sir ROBERT BEST.—He is to be practically a Deputy President of the Arbitration Court.

Mr. GROOM.—He will be in the same position as a Deputy.

Mr. FRANCIS.—If the Arbitrator is to be practically a Deputy of the Arbitra-

tion Court, can we use the same arbitration machinery in connexion with the carrying out of his functions?

Mr. GROOM.—Yes, excepting in one particular. It was stated by honorable members opposite that we are creating a new Department and new machinery, and perhaps the honorable member was misled by that statement. The Registrar under this Bill will be the Registrar under the Arbitration Act. The claims will be filed in exactly the same way; but instead of a Justice of the High Court walking on to the bench, the Public Service Arbitrator will do so. That will be the actual position.

There are several reasons why we should make this appointment. The first is that the Government desire to relieve the congestion of business in the Arbitration Court. To that end we have already provided for the appointment of additional Deputies. The appointment of an Arbitrator under this Bill will relieve the Court in part of thirty-three Public Service cases which are listed at the present time.

Mr. RICHARD FOSTER.—That is more than 25 per cent. of the total number of cases awaiting decision.

Mr. GROOM.—Apart from those thirty-three Public Service cases, there are, I think, eighteen other industrial cases and four compulsory conferences awaiting the attention of the Court. This appointment will do much to get rid of the congestion of business in the Court. There is another reason: The number of High Court Judges is limited, and, as honorable members know, their most important function is of necessity the constitutional and appellate work for which they were appointed, but at considerable inconvenience to themselves they have undertaken extra work. For the help they have rendered in this way they are deserving of the thanks of the country. But different Judges of the High Court are engaged in the Arbitration Court from time to time, and this has naturally led to some varying awards being made. Mr. McLachlan, in his report on the Public Service, has drawn attention to that fact.

I may here explain that this Bill is not introduced to carry out all the recommendations of Mr. McLachlan; indeed, it represents a course of action contrary to that which he advised. He stated—

> The Commissioner should be constituted the sole authority for settlement of salaries and wages, hours of labour, and conditions of service of permanent, temporary, and exempted employees, and his decision, subject to disallowance by Parliament, should be final and conclusive.

The Government have not accepted that recommendation; we are proceeding in direct opposition to it. Dealing with the existing position in regard to arbitration decisions by different Judges, Mr. McLachlan says at page 12 of his report—

> It would be tedious to recount all the inconsistencies which appear in the awards of the Court, but it may suffice to say that in such a matter as payment for holiday duty three different systems have been adopted by the Court, that the matter of granting allowances to officers acting in higher classified positions is dealt with in four separate ways, while some awards provide for granting of increments when so acting, while others do not. Overtime is determined in a multiplicity of ways, and this applies also to relieving allowances. Under some awards, travelling time is conceded, while in others it is not granted, although the circumstances are similar. Increments are granted from the actual due date, or from the first day of the month, or from the first day of the pay period, this being dependent upon the particular award governing the matter. In the same clause of one award provision is made that officers of the Clerical Division shall receive the adult minimum wage from the first day of the month following the twenty-first birthday, whilst those in the General Division are to receive it from the actual birthday. In one award the stretch of shift allowance is 1s. per hour, while in another award it is time and a half. Increments are granted on different bases for no apparent reason. The inconsistencies of arbitration awards are puzzling in the extreme, and this feature alone has greatly intensified the difficulties of working the Public Service.

Because of the diversified nature of the problems with which the Judges have had to deal, these conflicting awards have been inevitable. Therefore, in order to secure uniformity and justice to all sections of the Service, it is highly advisable that all claims should be dealt with by one Arbitrator able to devote his whole time to that particular duty.

Honorable members opposite have complained that we are treating the public servants differently from the rest of the community; the honorable member for Yarra (Mr. Tudor) said that they are not to have the same rights as other people. That is not the

problem with which we have to deal. In ordinary arbitration matters the Judge deals with an industry as a consistent whole. To-day it may be the shearing industry, to-morrow saw-milling, and on the third day some other industry, but he considers the industry as a whole, and makes the one award for the whole Commonwealth. An arbitration claim in regard to the Public Service, with its multiplicity of functions and its various Departments, all more or less interwoven into one huge system, is on an entirely different footing; and to continue the present system by which one Judge to-day hears a claim from one branch of the Service, and another Judge to-morrow hears a claim from another branch, would obviously lead to further inconsistencies in awards and wrong to the officers themselves. To-day some are receiving benefits under an award which another award does not give to others. I ask honorable members to consider the wide ramifications of the Public Service, necessitating on the part of an Arbitrator a very close examination of the work of the different Departments and relationships of the Clerical, General, and Professional Divisions. Even in the Professional Division there is one award for the legal officers and another for draftsmen, architects, and other technical servants of the Commonwealth. Then there are awards for the linesmen and other employees of the Postal Department. Yet all these various officers are part of a great Commonwealth system governed by the Public Service Act, which confers upon them various rights and privileges in connexion with the carrying out of their duties. I was the Minister who in 1905 introduced into this House the first scheme for the classification of the whole of the Public Service of the Commonwealth. It was a task that occupied Parliament for some weeks, and I well remember, as I am sure does the honorable member for Perth (Mr. Fowler), the difficult problems we had to solve in consolidating the services, with their varying rates of pay, over the wide continent. We must not forget that we are legislating for a continent, and are seeking to do justice to men scattered all over Australia for carrying out the daily growing functions of the Commonwealth. Is this a problem that ought to be dealt with piecemeal, one Judge to-day dealing with the claims of postal assistants, and another Judge to-morrow hearing a plaint by the Professional Association or some other organization connected with the Service? In order to be just to the men, as well as just to the Commonwealth, we ought to appoint one man to deal equitably and justly with all these varying but related problems, so that right may be done to all parties.

Mr. Richard Foster.—This proposal will be a distinct advantage to the Service.

Mr. GROOM.—It will be of great advantage to the men, because it will give them the right and the opportunity to get a fair deal.

I ask honorable members to consider what the procedure will be. This Bill is one of a series of three. The one dealing with arbitration generally has already been sent to another place. A second measure creating a Board of Management for the Public Service has come from the Senate to this Chamber. That Board of Management will take over the functions hitherto performed by the Commissioner. The duty of the Commissioner was to have regard to the nature of the vast Commonwealth Service, and frame a scheme for dealing with its members equitably. I agree with honorable members that no fairer, more capable, or more just man than Mr. McLachlan ever held a position in the Commonwealth Service. It was part of his duty to fix the salaries and conditions of the Service, but some of his decisions led to dissatisfaction, and it was felt that the Government employees should have a right of appeal from his decisions. Parliament accordingly passed the Arbitration (Public Service) Bill, which allowed public servants to refer their claims to the Arbitration Court. This Bill does not propose to alter that fundamental principle. The arbitration principle will remain. After the Board of Management has similarly fixed the terms of employment of the officers, those organizations who feel that they are aggrieved in any way by the act of that public body may appeal to an independent tribunal in the person of the Public Service Arbitrator. We are proposing to give the public servant the best possible form of tribunal.

Mr. RICHARD FOSTER.—If the Bill for the creation of a Board of Management had been introduced first, the Government would have secured greater support for this measure.

Mr. GROOM.—There was a reason for introducing this Bill first; we desired to get it passed in order to relieve the congestion in the Arbitration Court as soon as possible. The Board of Management will consist of three independent persons. Their duty will be to perform the present functions of the Commissioner, which include grading and classifying the Service, and determining the rates of remuneration. In order to allow of an appeal from the decision of the Board we are proposing to constitute this special Arbitration Court, the necessity for which honorable members will realize if they will consider the complications and ramifications of the Service, the claims of which are necessarily in a category different from those of employees in one complete and consistent industry.

Mr. RICHARD FOSTER.—The two Bills together will be a boon to the Service.

Mr. GROOM.—I believe so. Let honorable members not think that I minimize the seriousness of a big award dealing with an industry like shearing; but that industry is a complete whole. In the Public Service, however, there is a series of associations, each calling for adjudication on different claims and problems. No less than thirty-three cases relating to various phases of the Service are listed before the Arbitration Court to-day.

It has been suggested by several honorable members that we should have a Court constituted of an Arbitrator and two assessors. But, obviously, two assessors could not possibly know everything connected with the whole of our Public Service. Of what use would be an assessor from the General Division in advising the Court how to classify professional officers? The idea is an impossible one. The other suggestion is that assessors should be called in to deal with specific cases—assessors from the Professional Division to deal with cases in which professional officers are concerned, and so on throughout the Service. It is to this particular point that I desire to address myself. There is a departure in the Bill from the Arbitration (Public Service Act 1911, in that sub-clause 5 of clause 12 provides that, where a memorial has been filed asking for relief, the Minister or the Public Service Commissioner, or the particular person who is opposing the claim, may lodge an objection to it. When that has been done the obligation is thrown on the Arbitrator to convene a conference. To some extent this provision approximates to the idea which underlies the Whitley Council. As soon as an objection is lodged to any memorial the Arbitrator must convene a conference of both sides. This provision will give effect to the idea suggested by the honorable member for Wentworth (Mr. Marks), who said that he would like to see the Public Service arbitration tribunal stripped of the garments of law as much as possible.

Mr. BRENNAN.—Is that not the way in which all cases will have to be initiated under this Bill?

Mr. GROOM.—Yes. It is in the interests of the men concerned.

Mr. CHARLTON.—But that conference will not deal with evidence.

Mr. GROOM.—It may do so.

Mr. CHARLTON.—It is not likely to do so.

Mr. GROOM.—Take the case of a plaint setting out twenty or thirty different matters, and let us assume that the other side has filed an objection to it. The representatives of both sides will then meet and confer. A general discussion will ensue, and the Arbitrator will endeavour, as far as possible, to reconcile the parties upon the various points in dispute.

Mr. CHARLTON.—But suppose that finality is not reached as the result of that general discussion. If the case has to proceed, would it not be to the advantage of the Arbitrator if he had the assistance of a representative of the men, and also of a representative of the other party?

Mr. GROOM.—I do not think so. Ultimately, the decision of any case must rest with the Arbitrator, who has power under clause 13 of the Bill to inform his mind in any way that he may think fit. If he desires the assistance of an assessor he may obtain it. I recollect that when Mr. Justice Higgins was dealing with a highly technical case some time ago he called in Professor Laby, of the Melbourne University, to advise him with respect to the different people concerned. The Professor submitted a report, which, I presume, was much more useful to the

Judge than would have been the assistance of a representative of one of the parties.

Mr. CHARLTON.—The Arbitrator should have the assistance of a man who understands the difficulties with which he is dealing.

Mr. GROOM.—He can obtain that.

Mr. CHARLTON.—But he should have it when he is dealing with the evidence.

Mr. GROOM.—There is nothing in the Bill to prevent the Arbitrator having the assistance of representatives at any stage in the case.

Mr. RICHARD FOSTER.—The Arbitrator may call in anybody whom he may desire to assist him.

Mr. GROOM.—Yes. It is open to him to call in a representative from either side. The Judge of the Arbitration Court is untrammelled at the present time. The Arbitrator, under this Bill, may take such steps as will enable him to best inform his mind in respect of any case with a view to doing absolute justice to the parties concerned.

Mr. MCWILLIAMS.—But in the case of the Arbitration Court an appeal may be made from the decision of one Judge to other Judges, whereas under this Bill the appeal will have to be from the decision of the Arbitrator to a Judge.

Mr. GROOM.—No. The Bill provides that there shall be no appeal from the decision of the Arbitrator. His decision will be final and conclusive; nor is there an appeal in the Arbitration Court from the decision of one Judge to other Judges.

Mr. MCWILLIAMS.—The Minister said that an appeal may be made from the decision of the Arbitration Court, and that under this Bill there will be room for an appeal in the same way.

Mr. GROOM.—I did not say that. To-day an appeal may be made from the decision of the Public Service Commissioner to the Arbitration Court, and when the Public Service (Board of Management) Bill has been passed, an appeal may be made from its decision to the Public Service Arbitrator in exactly the same way.

Mr. MARKS.—But an appeal may be made to the Arbitrator himself for a variation of his award.

Mr. GROOM.—When an award has once been given it will always be possible to go back to the Arbitrator and ask him to vary it, or to re-open the matter.

May I remind honorable members of a few remarks which were made on the 25th August by Mr. Justice Starke, in the case of an application by a representative of the Telephone Operators Association. Upon that occasion it was the desire of the organization in question to bring several witnesses from New South Wales. Mr. Justice Starke is thereupon reported to have said—

> He would not, however, rush on the hearing of any cases in order to retain certain jurisdiction over them. He wished to say that a great deal of the evidence which it was thought necessary to call before him was quite unnecessary.

Mr. NICHOLLS.—That is merely his opinion.

Mr. GROOM.—And the opinion of a Judge is worthy of consideration. His Honour continued—

> In the plaint of the Federated Public Service Association he considered that one-quarter of the evidence that had been called was not required. The case had therefore lasted far longer than it should have done, because witnesses had been called from here, there, and everywhere. They had, however, added very little to the case and very little to his knowledge of it. To specially call telephonists from New South Wales is almost ridiculous.

That is the view of a Judge of the Arbitration Court, and as honorable members opposite are pleading for the retention of his jurisdiction over our Public Service, it is only fair that I should quote it. In these cases, irrelevant and unnecessary evidence is sometimes called. Now the advantage of a preliminary conference in such cases will be the means of effecting a great saving to the organizations belonging to our Public Service. It will mean that before the Arbitrator hears a case there will be a sifting out of irrelevant matter in order that he may focus his mind upon the real vital issues of the plaint. In that way, a very great improvement will be effected.

I have now touched upon the main issues which have been raised by the amendment that has been submitted. But there are one or two minor matters that have been mentioned by honorable members to which I must refer. Complaint has been made that under the Bill the awards will be required to lie upon the table of the House. It is very strange that, although this practice has been followed since 1911, it is only now, when we are re-enacting a provision which has been in operation so long, that objection

is taken to it. The honorable member for West Sydney (Mr. Ryan) quoted the view expressed by the Prime Minister (Mr. Hughes) when introducing the Act of 1911. Upon that occasion the right honorable gentleman drew attention to the absolute necessity of Parliament preserving this right of veto. It should possess it, because, after all, we represent the people in whose employ our public servants are.

Mr. CHARLTON.—Suppose that the Arbitrator awards an increase of wages in January and that Parliament does not meet until April, from when will the award date?

Mr. GROOM.—That will depend entirely upon what the Arbitrator thinks ought to be done in any particular case.

Mr. CHARLTON.—Suppose that he decides that the members of an organization shall get their increase from the date of his decision, and that Parliament is not then sitting?

Mr. GROOM.—At the present time it is possible for the Judge of the Arbitration Court to embody in his award a clause setting out the date to which it shall be made retrospective. In the case of the Public Service Clerical Association *versus* the Public Service Commissioner of the Commonwealth, Mr. Justice Powers gave his award on the 1st October, 1919. In doing so, he inserted a clause setting out—

> The amount awarded by this variation shall, if the award is not disapproved of by Parliament, be payable as and from the 1st August, 1919, except where otherwise provided.

Mr. CHARLTON.—Then, if Parliament be not in session, the award will be made retrospective?

Mr. GROOM.—In that case, it did not matter when Parliament met, because when once the award had been tabled for the requisite period and not disapproved, the award became operative from the date fixed by the Justice. Suppose that on the 1st January a plaint is filed in the Arbitration Court, and that on the 1st May the Judge hears it, and decides that the award shall be made retrospective to the 1st January. He already has power to say—and the Arbitrator under this Bill will have power to say—"This award shall date from the 1st January." Then, even if Parliament does not meet until the following December, the award will have a retrospective operation.

Mr. CHARLTON.—But the members of the organization will stand out of the increase until Parliament meets?

Mr. GROOM.—Of course. That is inevitable. It is the law at the present time. There is no other way in which the matter can be dealt with. But these are not cases in which men are living upon an absolutely starvation wage. Presumably, the Public Service Commissioner has fixed salaries which were fairly commensurate with the nature of the service rendered. I do not think there is any great hardship in leaving the matter until Parliament shall decide.

Mr. NICHOLLS.—Could the position not be simplified by saying that the rate of pay shall be granted from the date the plaint was filed?

Mr. GROOM.—That could not be done in all cases. In the first place, the Judge may not have awarded that. Whether an award shall be made retrospective or not is surely a matter for the Arbitrator.

Mr. NICHOLLS.—It has not been so in the past, but has been a matter for mutual agreement between the employer and the employee.

Mr. GROOM.—Where there is no agreement in all these cases it is left to the Court. As a matter of law, with whom should it rest? Obviously, it ought to rest with the Judge. It would be quite wrong to enact that in every case an award may be made retrospective whether that be justifiable or not.

There are other minor points which, however, I shall reserve until we get into Committee. I ask the House to accept the Bill, and to repudiate the suggestion made by honorable members opposite that it is in any way intended as an attack on, or a means of injury to, the Public Service. On the contrary, this legislation is distinctly in the interests of the members of the Public Service, and if it be passed as introduced it will provide some very useful machinery. The honorable member for Parkes (Mr. Marr) referred to one case as having cost £14,000. Without doubting the statement for a moment, I should much like to see that bill of costs, and ascertain how it was incurred. If a bill of that dimensions was incurred, I think it would be found to consist largely of the cost of bringing men from all over the

Commonwealth to give evidence in Melbourne. That ought not to be, and I believe it will be prevented by the conference proposals in the Bill.

Mr. RICHARD FOSTER.—But the Arbitrator will travel from place to place?

Mr. GROOM.—He will be free to travel all over the Commonwealth; there need be no sitting at the Seat of Government only, so far as he is concerned.

Mr. MAHONY.—Will the Minister say who is to be the Arbitrator?

Mr. GROOM.—I ask the honorable member to keep quiet for a little while. That question is an absolutely open one, for no one is even in contemplation; our only desire is to appoint the best man we can get for a position of such importance. Under all the circumstances, I ask the House to reject the amendment, and pass the second reading of the Bill.

Mr. BRENNAN (Batman) [9.34].—I do not suggest that the weakness of the case of the Minister (Mr. Groom) arises from any incapacity in himself. He has, I think, an abundance of power to make a good case if a good case can be made in support of the Bill. When I heard the interjections of the honorable member for Wakefield (Mr. Richard Foster)—one of which was that this Bill will be of "distinct advantage" to the Public Service, and the other that it would be a "positive boon" to the Public Service—I marvelled how an ordinary member of Parliament, outside the Service, could appreciate the advantages of the Bill in a way that, apparently, not a single member of the Service itself can.

Mr. RICHARD FOSTER.—I spoke of the two Bills combined.

Mr. BRENNAN.—That reminds me of the very curious and, to my mind, very regrettable fact that we have been tinkering with the whole question of arbitration by a number of Bills and subsidiary Bills when we might, in a comprehensive manner, have dealt with the whole question in one Bill. Not only have we introduced, if I may say so in passing, unnecessary Bills, but, having already a useful measure on the Statute Book, which is serving its purpose in creating harmonious relations in the Service, we are actually now spending our time in repealing that measure, and substituting one which gives very little promise, indeed, of successful operation. The Minister says that the differences between the Bill and the existing Act are so slight that they are hardly worth argument. Yet nobody could fight more strenuously for the Bill than does the honorable gentleman. It is a sinister circumstance that he is getting the whole-souled support of all those persons who, in the past, have opposed the extension of arbitration, and have always tried to exclude the principle of arbitration from the Public Service. Are those gentlemen all silent who supported honorable members on this side in passing the Public Service (Arbitration) Bill, and now sit on the Nationalist side? Where have they gone? I do not see one in the chamber.

Mr. WEST.—Where is the Prime Minister?

Mr. BRENNAN.—The Prime Minister (Mr. Hughes) has not appeared in this House to-day, I think, while this Bill is under consideration. That right honorable gentleman fought so well and so strenuously for the Act for which this Bill is a substitute, that he has the grace not to appear while the measure is under consideration. Then there are the honorable member for Denison (Mr. Laird Smith), now a Minister of the Crown, and other honorable members opposite who stood by the original Bill, and made an Act of it. To-night they have not a word to say either in palliation of their own conduct, or in excuse of the present Bill.

The whole point of the Bill in my view is the desire of the Government to set up an officer as an Arbitrator who is neither more nor less than a member of the Public Service.

Mr. RICHARD FOSTER.—You are not justified in saying that.

Mr. BRENNAN.—He, technically, may not be a member of the Public Service, but clearly he is, in the view of the Government, to occupy a position analogous to, if not precisely the same, as that occupied by the late Public Service Commissioner. He is to be a new Commissioner with a new title, and an Act of Parliament all to himself—neither more nor less than a substitute for the Public Service Commissioner. All I can say is that I sincerely hope he will be a less autocratic, and less self-satisfied Commissioner than the gentleman who issued this report in such strong condemnation of men as good as himself in the Public Service.

The Minister said that one of the reasons for the introduction of the Bill is the congestion in the Arbitration Court; but that congestion appears to have troubled the Government very little during the months and years which went by immediately prior to the present session. It is curious that the Government find it necessary to introduce this Bill when, as a fact, we have just passed an Industrial Peace Bill, and other industrial legislation, giving power to appoint Deputy Judges with the very object of getting over this congestion. I hope and believe that, if the Government are in earnest and sincere in regard to the appointment of Deputy Judges, the work will be coped with as occasion demands. The Minister also tells us that it is owing to the fact that different Judges have dealt with the claims of the members of the Public Service that inconsistencies have arisen. In my view it is greatly preferable that we should administer a system of arbitration which is uniform and just, rather than that we should set up a bureaucrat for the purpose of nominally acting as Arbitrator, but really acting as the Government nominee to discipline the Public Service. If there is one chapter in Victorian history which is anathema to the working classes of Australia—and when I speak of the "working classes" I include all who work—it is that chapter in which Mr. Irvine, as he then was, made the Public Service a class apart in connexion with the railway strike. I am well aware that it has been one of the penalties of the honorable gentleman who did that to have it more than once referred to in terms of condemnation in this House; but I refer to it again this evening for the purpose of pointing out the unpleasant analogy, namely, that the Government now propose to segregate the Public Service in a very objectionable manner—by giving them access to a special Court now to be created, and cutting them off from the superior Tribunals open to ordinary citizens. And it has to be remembered that this is to be an inferior Tribunal, because it is to be presided over by an officer with a limited tenure—of seven years, certainly, but still limited—as compared with that of a Judge of the High Court. The party on this side of the House very naturally object to such a proposal, and point out, as I point out, that we cannot deal with members of the Public Service and their claim, whether for better wages or better conditions, except in the light of the general standard of living in all parts of the Commonwealth, and, perhaps, outside the Commonwealth. The public servants are only part of the whole; if the question of the cost of living arises, it affects those outside the Service on the same principle as it affects those inside the Service, and it is just as necessary that an Arbitrator for the Public Service should be capable of taking a judicious and judicial survey of the whole of the industrial arena, as it is that he should be expert in the administration, in a particular way, of the Public Service.

Mr. RICHARD FOSTER.—That is an expression of approval of the proposal of the Government, for the Arbitrator is to move from State to State.

Mr. BRENNAN.—No; it is a strong condemnation of the policy which limits the Arbitrator to a special knowledge of the mere classification of the Public Service, instead of demanding a wide general knowledge of the whole industrial situation.

Mr. RICHARD FOSTER.—I do not agree with the honorable member; the Arbitrator will devote the whole of his time to his work.

Mr. BRENNAN.—The report of the ex-Public Service Commissioner has very properly come up for some criticism, and, again properly so, for some condemnation during this debate. It is said, of course, that he was an independent administrator. I venture to point out that he was an independent administrator whose views were well known to the Government who obtained that report from him. I invite the attention of the Minister to the fact that the Government has had this report concealed for many months, and that neither members of Parliament nor persons outside have been able to gain access to it; and, further, that the Government threw it upon the table only comparatively recently, when this present group of industrial Bills was about to be brought forward. There is keen point in the remark of the

honorable member for West Sydney (Mr. Ryan), who has stated that, apparently, the policy of the Government is to give effect to the report of the Commissioner, whose views were well known to the Government, and—probably—to some extent inspired by the Government in advance. I do not mean "inspired" in the sense of a conspiracy, but in the sense that the Commissioner knew what the views of the Government were, and that the Government knew what the views of the Commissioner were. It is said, and rightly, that it would be intolerable to have our Public Service become the victim of political influence or intrigue. But, while political influence in the Public Service is very objectionable, a bureaucracy and an autocracy are also objectionable. They are the two extremes—the one the antithesis of the other. My view is that the existing machinery of the Arbitration Act, giving equal justice—which is all we ask—to members of the Public Service exactly as to others outside the Service, has been an automatic correction of the autocracy of the Public Service Commissioner on the one hand, while at the same time preventing undue influence upon the working of the Public Service. That was as nearly an ideal set of conditions as one could hope for; and those conditions were in existence when the repeal of the Arbitration Act, in its relation to the Public Service, was proposed, and the enactment of this new measure was proceeded with.

It has been said that by having an Arbitrator specially skilled in the working of the Public Service, we shall gain all the advantages to be derived from the employment of an expert. It has been emphasized that the Arbitrator will be able to focus his attention upon one particular class of work. But, as a matter of fact, every case arising before the Arbitration Court, every industry coming under review before that Court, raises points for expert consideration. The Judge requires to make himself, in the hearing of a case, expert with respect to the particular phase of industry upon which he is to adjudicate; and neither more nor less so than in connexion with the special claims of the Public Service. Indeed, the Service—being a matter almost purely of administration—does not require that measure of specialized and expert knowledge which a Judge needs to bring to bear upon cases arising out of industries, manufactures, trades and callings—some of them most intricate in character—in respect of which he has to make his decisions. And that is why I take the view that, in connexion with the Public Service, as in connexion with all matters pertaining to arbitration, the Judge should approach the discharge of his work with a full knowledge such as arises from association, not with one particular avocation or industry, but from a wide experience of the industrial situation generally.

The honorable member for Macquarie (Mr. Nicholls) put in a plea for our old friend, preference to unionists. I do not propose to say anything further upon that question than to remind the House, and to remind the Prime Minister and Mr. Deputy Speaker (Hon. J. M. Chanter)—if I may with propriety do so—that the honorable gentlemen themselves stood for preference to unionists in connexion with the Bill the predecessor of this, and in connexion with every Bill embracing the subject generally; and that many of those honorable members associated with them did likewise. Does the head of the Government treat with ridicule and contempt the contention of the honorable member for Macquarie? If so, he ridicules himself. Or is this a Government which sends its Liberal members into the House to discuss those Bills, and matters generally, which are displeasing to the Labour section of the Ministry? I leave that matter just where it is. I have argued and pleaded for preference to unionists on the ground that preference was the natural corollary of organization and arbitration. I do not now propose to argue the subject again at length. Indeed, I intend to address myself no further to the second-reading than to sum up my objections to it in these words: That this Bill represents an attempt to segregate public servants unfairly; that it will put them under the jurisdiction of an Arbitrator, who will be little more than an officer of the Public Service, who by reason of his tenure and position, will be practically a political representative, and who cannot be expected, in the circumstances, to administer broad, even-handed justice to all members of the Service in that spirit in which the High Court Judges are prepared to administer justice, both to the members of the Public Service and to

ordinary members of the community. And, in saying that of the members of the High Court Bench, I am not unmindful that those Judges cannot be accused of undue Labour sympathies.

Debate (on motion by Mr. RICHARD FOSTER) adjourned.

In Committee: Consideration of the Deputy of the Governor-General's Message.

Mr. **GROOM** (Darling Downs—Minister for Works and Railways) [9.53].—I move—

That it is expedient that an appropriation of the Consolidated Revenue Fund be made for the purposes of an amendment providing for the salary of the Arbitrator in a Bill for an Act relating to the settlement of matters arising out of employment in the Public Service.

This is a purely technical procedure. The Bill was sent to this Chamber from another place, leaving the clause blank as regards the matter of appropriation and fixation of salary. The insertion of a specific sum is within the province of this Chamber. Before that can be done, however, it is necessary to receive a message from the Governor-General.

Mr. RYAN.—Under what section of the Constitution?

Mr. GROOM.—The procedure is governed by section 56. The matter of the Arbitrator's salary will be fixed by this Chamber, in Committee. As a matter of fact, however, the sum has already been announced in another place, when it was indicated that the salary would be £2,000.

Dr. MALONEY.—A thousand pounds too much!

Mr. CHARLTON.—All this procedure in relation to the fixation of salary will depend entirely, of course, upon the fate of the Bill at a later stage?

Mr. GROOM.—That is so.

Mr. **RYAN** (West Sydney) [9.55].—I quite understand the purpose of the message, but I desire to know if it will be possible, in the course of consideration of the message, to secure the insertion by way of an amendment, of a new clause:

That the living wage at its declaration shall apply automatically to awards and agreements varying all wages and salaries and such by not less than the amount of the living wage may have been varied.

Such an amendment might increase the burden upon the Consolidated Revenue.

Mr. **GROOM** (Darling Downs—Minister for Works and Railways) [9.56].—This message deals only with the fixing of salary. That is the sole purpose of the recommendation. But, as regards the subject-matter of the proposed amendment, if it is intended to insert in the Bill anything dealing with an appropriation for salaries, that could not be done. Such an intention would entail the introduction of a distinct and separate message of appropriation. The object of this Bill is the appointment of an Arbitrator. The Bill is not intended to cover an appropriation out of Consolidated Revenue for purposes other than that for which it has been specifically introduced.

Mr. RYAN.—Then, I take it, the Bill may not be amended to provide for the variation of awards with the variation of the living wage?

Mr. GROOM.—Clearly, we cannot insert in this measure—as I have just indicated—anything for an appropriation out of Consolidated Revenue for purposes other than that covered by the subject-matter of the message itself.

Mr. RYAN.—Then I am sorry that the Governor-General should have sent a message so narrow in its scope.

Mr. GROOM.—It could not have been broader.

Mr. RYAN.—I know, of course, that it could not, for the reason that the Government did not advise the Governor-General to make it broader.

Mr. GROOM.—The honorable member knows that the scope of this measure is to provide for arbitration for the Public Service. It will be for the Arbitrator to fix the matter of salaries.

Mr. **RYAN** (West Sydney) [9.57].—I am endeavouring to point out that, by reason of the fact that the Government have advised the Governor-General to despatch only a narrow message of this character, such action is likely to prevent Parliament from inserting an amendment which, otherwise, could be inserted in the direction I have indicated.

Mr. MAXWELL.—What kind of a message other than this does the honorable member suggest the Governor-General should have sent?

Mr. RYAN.—I have no objection whatever to indicating the kind of message which I would have liked the Governor-General to send. It would have been to the effect that it is expedient to make an appropriation for the purpose already indicated in the message, and for other purposes connected with the making effective of awards, and of providing to allow the

living wage at its declaration to apply to awards and agreements, and so on.

Mr. HECTOR LAMOND.—But such an amendment should be a separate provision in the Bill itself, and not attached to a proposed appropriation for the fixing of the Arbitrator's salary.

Mr. RYAN.—It could not be inserted in the Bill unless the Governor-General recommended it.

Mr. GROOM.—An appropriation for the payment of salaries to members of the Public Service is always contained in the Estimates, and that is the place to insert such a proposition as the honorable member now indicates.

Mr. RYAN.—Of course; but I desire to have such an amendment as I have indicated inserted in this measure. Will the Minister tell me, direct, whether he will oppose that being done?

Mr. GROOM.—It cannot be done with a view to securing an appropriation for the payment of salaries to members of the Public Service.

Mr. RYAN.—Honorable members are aware of the nature of my proposed new clause. It does not imply an appropriation.

Mr. CHARLTON.—Of course, it is not an appropriation. The Minister knows that there is nothing which will prevent the honorable member from moving his amendment at the ordinary Committee stage. Why does he not say so?

Sir JOSEPH COOK.—It is a purely machinery proposal.

Mr. RYAN.—I am merely trying now to avoid a situation which may arise later, when it may be suggested that my amendment is out of order.

Sir JOSEPH COOK.—There is nothing in the amendment which proposes to appropriate money.

Mr. RYAN.—Then for the time being I shall let it go at that.

Dr. MALONEY (Melbourne) [9.59].—I recently inquired from the Government how many officers in the Commonwealth Public Service were receiving salaries ranging from £750 to £1,000, and from £1,000 to £1,250, and from £1,250 to £1,500 and upwards.

Mr. GROOM.—I suggest to the honorable member that his discussion upon this point can be undertaken at the ordinary Committee stage.

Dr. MALONEY.—I intend to take every possible opportunity to protest whenever there is a proposition for the fixing of a salary to an officer of the Public Service, or, by the Government, in connexion with any phase of activity, of £1,000 or more. I do so on the score of economy, and for the reason that the people have no voice in the fixing of these high salaries. I maintain that the people should have the right to say what these public salaries shall be, from that of the Governor-General downwards. I do not think I received an accurate reply, because more than five men in the Commonwealth Service are receiving over £1,500 a year, with allowances. I shall, therefore, utter my protest at every opportunity. I am simply asking that the people who pay shall have the right to vote "Yes" or "No."

Question resolved in the affirmative.

Resolution reported; report adopted.

ADJOURNMENT.

AMALGAMATED SOCIETY OF ENGINEERS.

Motion (by Sir JOSEPH COOK) proposed—

That the House do now adjourn.

Mr. MAKIN (Hindmarsh) [10.2].—I wish to bring under the notice of the House a question of great urgency. There is a likelihood of a serious industrial crisis being precipitated in the near future in the engineering trade. This has very largely been made possible by the fact that the Amalgamated Society of Engineers has experienced continued delay in the hearing of its case in the Federal Arbitration Court. It has on two occasions secured from the President of the Court an intimation of an approximate date for the beginning of the hearing. On one occasion the advocate was even told to prepare his witnesses on the Thursday for the following Tuesday, but now the possibility of the case being heard seems just as far off as ever, because when the latest request was made to the President of the Court he said he was not prepared to fix any definite date, owing to the uncertainty of his position. This afternoon I approached the Prime Minister (Mr. Hughes) on behalf of the organization with a request that he should receive a

deputation from it, so that he might give the engineers an assurance that a Special Tribunal would assist in avoiding the industrial crisis which has actually arisen in the engineering trade in New South Wales, and which will spread to other States unless the Government are prepared to help to relieve the situation. The Prime Minister absolutely declined to receive a deputation from the organization, and practically said, "Let them go, let them go!" Apparently, little or no effort is to be made by the Government to avert the very serious situation now confronting the country in regard to the engineering trade. I enter my emphatic protest against the refusal of the Prime Minister to receive a deputation from the Amalgamated Society of Engineers. He received a deputation from the Federated Enginedrivers and Firemen, as he had every right to do, and I tender no objection, but rather support the claims of that organization; but if he receives one he should be prepared to receive another. It seems, however, that since the Amalgamated Society of Engineers took up an independent stand upon the shipbuilding agreement, unkindly feelings have characterized the Prime Minister's relationship with it. I urge the Minister in charge of the House (Sir Joseph Cook) to endeavour to secure from the Prime Minister, or from the Government generally, an assurance that the members of the organization will be met, so that the present difficulty may be overcome. I leave the matter with the Minister in the hope that he will use his best endeavours to induce the Prime Minister to receive a deputation at an early date.

Sir JOSEPH COOK (Parramatta—Treasurer) [10.5].—I think it goes without saying that anything any union asks for, the Prime Minister (Mr. Hughes) should promptly grant. If they make a protest, and demand that he shall see them instanter, of course he must see them. Are they not the almightly power in this country at the moment, and is not the Prime Minister the merest adjunct of government? Is it not clear that the whole power of this country resides in the various Trades Halls and elsewhere? May I suggest to the honorable member for Hindmarsh (Mr. Makin), in all seriousness, that he should adopt a little more reasonable tone, particularly when he is asking Ministers to grant interviews with these people? No Prime Minister that ever lived in this country has granted more interviews to the various outside bodies than the present one, and it seems that the more he grants the more trouble he gets into. My advice to him would be to grant even less.

Question resolved in the affirmative.

House adjourned at 10.7 p.m.

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——† Sworn 11th May, 1920.——6. Elected 10th July, 1920. Sworn 21st July, 1920.

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